

**PUBLIC FACILITIES DEPARTMENT**

**Minutes**

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

June 12, 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  
Kellie Duffy, Intern PFC/PFD, Law Department  
Patricia M. Lyons, Director, PFD  
Paul Donnelly, Assistant Director for Design, PFD  
Susan Rice, Assistant Director for Operations  
Maureen Anderson, Senior Project Manager, PFD  
Brian Melia, Senior Project Manager, PFD

Commissioner Mammoli called the meeting to order.

The minutes from the meeting of May 15, 2019 were presented to and approved by Commissioners Mammoli and Irish.

**VOTE 1: Maureen Anderson, Senior Project Manager**

**Acceptance of a deed from the Boston Redevelopment Authority (BRA) d/b/a Boston Planning and Development Agency (“BPDA”) to the City of Boston:** A certain parcel of land with building and improvements thereon located at 900 Washington Street, also known as Urban Renewal Parcel R3A2, in the Chinatown District of the City of Boston.

**Purchase Price: \$1.00**

Ward: 03  
Annex of Parcel Numbers: 05500010, 05500020, 05500030  
Square Feet: 27,265 ±  
Future municipal use and development of the new Josiah Quincy Upper School (JQUS)

Pursuant to and contingent upon a vote of the Boston Redevelopment Authority on June 13, 2019, the Director of the Public Facilities Department, acting by and through the authority of the Public Facilities

Commission, be and hereby is authorized to accept from the Director of the Boston Redevelopment Authority (BRA) d/b/a Boston Planning and Development Agency (BPDA), a deed to the City of Boston in consideration of ONE DOLLAR (\$1.00), and all other documents deemed necessary, appropriate and approved as to form by the Corporation Counsel for the City of Boston, regarding a certain parcel of land with building and improvements thereon, consisting of approximately 27,265 ± square feet, located at 900 Washington Street, also known as Parcel R3A2, (Ward: 03, Annex of Parcel Numbers: 05500010, 05500020, 05500030) in the Chinatown District of the City of Boston.

Said parcel is also described in "ANNEX A" of the Boston Redevelopment Authority Order of Taking, dated May 16, 2019 and recorded with the Suffolk Registry of Deeds on May 28, 2019 at Book 61170, Page 67, and more particularly described as follows:

A certain parcel of land situated in the City of Boston, Suffolk County, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at the intersection of the northerly right of way line of Marginal Road and the easterly right of way line of Washington Street;

Thence N11°15'26"E along said easterly right of way line, a distance of 142.06' to the southerly side line of Pine Street;

Thence S78°44'34"E along said southerly side line, a distance of 183.29' to a point;

Thence S8°58'41"W continuing along said southerly side line, a distance of 20.35' to a point;

Thence S51°12'35"E continuing along said southerly side line, a distance of 18.75' to a point on an easterly parcel line of Parcel R3A2;

Thence S18°32'29"W along said easterly parcel line, a distance of 70.97' to a point;

Thence S14°29'59"W continuing along an easterly parcel line of Parcel R3A2, a distance of 42.00' to a point;

Thence along said curve to the left, having a radius of 1052.00', a distance of 15.82' to a point;

Thence N78°59'57"W, a distance of 173.53' to the point of beginning;

Excluding from said parcel any existing rights of the Boston Water and Sewer Commission as set forth by Easement Agreement dated, February 27, 2019 and recorded with the Suffolk Registry of Deeds on March 5, 2019 at Book: 60813, Page: 309;

Containing 27,265 square feet more or less; 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 and do all things necessary or convenient for the exercise and fulfillment of the Commission's powers, duties and responsibilities pursuant to this act; and

WHEREAS, the provisions of St.1909, C.486, s.31A (as appearing in St.1966, C.642, s.12) authorizes the Public Facilities Commission, without obtaining the consent of any other board or officer or further authority, in the name of the City, to acquire for any municipal purpose a fee simple absolute or any lesser interest in any land, public or private, within the limits of the City;

NOW, THEREFORE, BE IT VOTED: That the Director of the Public Facilities Department be, and hereby is, authorized to accept, on behalf of the City of Boston, the aforementioned deed from the Boston Redevelopment Authority (BRA) d/b/a Boston Planning and Development Agency (BPDA), and record the same with the Suffolk County Registry of Deeds and place such property in its care, custody, management and control until further notice.

**NOTE:** Angela Atchue noted for the record Commissioner Mammoli is an employee of the City's Economic Development and Industrial Corporation (EDIC).<sup>1</sup> He has no involvement in the matter noted in the vote request, nor received any requests to vote in a particular fashion. 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 July 17, 2019, from Commissioner Mammoli attached hereto.**

**NOTE:** Angela Atchue asked, "Commissioner Mammoli, do you have anything further to add to the record?"

**NOTE:** Commissioner Mammoli replied, "No."

**NOTE:** Angela Atchue noted for the record, "Vote number one (1) concerns an acceptance of a deed from the Boston Redevelopment Authority (BRA) d/b/a Boston Planning and Development Agency ("BPDA") to the City of Boston for a certain parcel of land with building and improvements thereon located at 900 Washington Street, also known as Urban Renewal Parcel R3A2, in the Chinatown District of the City of Boston. In addition, vote number two (2) concerns the same property and regards the transfer of the care, custody, management and control from the Public Facilities Department to the Boston Public Schools. There is a request to allow Maureen Anderson to present these votes jointly, as they concern the same property, with a separate roll call thereafter." She then asked, "Would that be agreeable with the Commission?"

**NOTE:** Commissioner Mammoli and Commissioner Irish expressed agreement with the proposed vote presentation request.

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

**NOTE:** No questions were raised by Commissions Mammoli or Irish.

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

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<sup>1</sup> Commissioner Mammoli serves as the Director of Engineering and Facilities Management for the Boston Redevelopment Authority (BRA) and Economic Development Industrial Corporation (EDIC).

**Exhibits:** June 4, 2019, project background memorandum with enclosures and PowerPoint presentation.

**VOTE 2: Maureen Anderson, Senior Project Manager**

**Transfer of the care, custody, management and control from the Public Facilities Department (PFD) to the Boston Public Schools (BPS):** A certain parcel of land with building and improvements thereon located at 900 Washington Street, also known as Urban Renewal Parcel R3A2, in the Chinatown District of the City of Boston.

**Property Transfer**

Subject to the approval of the Mayor under the provisions of St. 1909, c. 486, § 31A (as appearing in St. 1966, c. 642, § 12), a certain parcel of land with building and improvements thereon located at 900 Washington Street, also known as Parcel R3A2, (Ward: 03, Annex of Parcel Numbers: 05500010, 05500020, 05500020) consisting of approximately 27,265 ± square feet, in the Chinatown District of the City of Boston, shown on a plan entitled, “900 Washington Street, also known as, Urban Renewal Parcel R3A2” as prepared by Nitsch Engineering, dated June 10, 2019, the Public Facilities Commission does hereby vote to transfer said property from the care, custody, management and control of the Public Facilities Department to the care, custody, management and control of the Boston Public Schools for the future municipal use and development of the Josiah Quincy Upper School.

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

**NOTE:** No questions were raised by Commissions Mammoli or Irish.

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

**Exhibits:** June 4, 2019, project background memorandum with enclosures and PowerPoint presentation.

**VOTE 3: Brian Melia, Senior Project Manager**

**Request for approval to utilize M.G.L. c.149A Construction Management at Risk delivery method for the Boston City Hall and Plaza Renovations project:** Authority to enter into a construction management at risk contract with a competitively procured and qualified construction management at risk firm.

WHEREAS, the Public Facilities Department seeks approval from its governing body, the Public Facilities Commission, to submit an application to the Office of the Inspector General requesting a notice to proceed utilizing the procurement procedures of M.G.L. c.149A, sections 1-11, a construction management at risk delivery method for the Boston City Hall and Plaza Renovations project located at 1 City Hall Square, Boston; and

WHEREAS, the Public Facilities Department has requested authority from its governing body, the Public Facilities Commission, to enter into a construction management at risk contract with a

competitively procured and qualified construction management at risk firm if granted a notice to proceed by the Office of the Inspector General for this Project; and

WHEREAS, the Boston City Hall and Plaza Renovations project has an estimated construction value of approximately Sixty-One Million Dollars (\$61,000,000); and

WHEREAS, the Public Facilities Department has determined that the use of construction management at risk services is appropriate for the proposed project and has stated such in writing;

NOW, THEREFORE, BE IT VOTED: The Public Facilities Commission authorizes the Director of the Public Facilities Department to submit a notice to proceed application to the Office of the Inspector General for approval to use the construction management at risk procurement procedures of M.G.L. c.149A, sections 1-11 and, if approved, to act on said authority and in compliance with the provisions of M.G.L. c.149A, sections 5-7, to procure a construction management at risk firm through the two-phase selection process and award and execute a contract with a qualified construction management at risk firm with appropriated funds as confirmed by the City's Office of Budget Management.

**NOTE:** Brian Melia addressed the Commission and provided an overview of the project.

**NOTE:** Commissioner Mammoli stated, "I had questions, but your presentation answered them."

**NOTE:** Commissioners Mammoli and Irish expressed praise for the project.

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

**Exhibits:** May 30, 2019, project background memorandum, May 28, 2019 Memorandum detailing the reasons to utilize the CM at Risk delivery method for the project delivery, as approved by PFD's Director and PowerPoint presentation.

**NOTE:** The June 12, 2019 Public Facilities Commission Meeting is available at the web address of [https://www.cityofboston.gov/cable/video\\_library.asp?id=30197](https://www.cityofboston.gov/cable/video_library.asp?id=30197).

A True Record.

The meeting commenced at 9:38 a.m. and adjourned at 9:51 a.m.

  
Colleen Daley, PFC Secretary