

DeValles School Building Committee (SBC) Meeting Minutes¹

Meeting Date: March 7, 2023, 4:02 – 5:28 PM

Location: Paul Rodrigues Administration Building, 455 County Street, Room 224, New Bedford, MA 02740

Also remote via New Bedford Public Schools website

Reported: Laura Neves, Executive Assistant for Finance & Operations, New Bedford Public Schools (NBPS)

Attendees:

Rebecca Kanter, Interim Purchasing Director
Janet Barbosa, Director of Special Projects & Programs,
Designee of Mayor Jonathan Mitchell
Bruce Oliveira, School Committee Member and Chair
Doug Brites, Interim Director of Facilities (remote)
Mario Pires, Principal of John B. DeValles School Elementary
School (DeValles)
Justine Santos, Principal of James B. Congdon Elementary
School (Congdon)
Karen Treadup, Deputy Superintendent
Emily Arpke, City Auditor (remote)
Thomas Nickerson, NB Educators Assn. President (remote)
Barry Rabinovitch, School Project Manager
Andrew O'Leary, Asst. Supt. of Finance & Operations

Shane Burgo, City Council Member (remote)
Jennifer Carloni, Director of City Planning
Darcie Aungst, Elementary Curriculum, Data & Assessment
Manager
Jonathan Carvalho, neighborhood resident (remote)
Jillian Zangao, President of New Bedford Federation of
Paraprofessionals
Daniel Pallotta, P-Three, Inc.
Peter Turowski, Turowski2 Architecture, Inc.
Elizabeth Turowski, Turowski2 Architecture, Inc.
Timothy Brennan, Turowski2 Architecture, Inc.
Alison Paiva, Turowski2 Architecture, Inc.
Brian Fitch, Turowski2 Architecture, Inc.

Mr. Oliveira called the meeting to order at 4:02 PM. A roll call for attendance was taken. Mr. Oliveira indicated that Mr. Burgo has replaced Mr. Ryan Pereira. Minutes from the January 24, 2023 and May 13, 2022 meetings were reviewed. A roll call vote to approve the minutes was taken. Voted unanimously on a motion by Mr. Oliveira and seconded by Dr. Rabinovitch to approve.

Mr. Turowski presented and discussed Turowski2 Architecture, Inc.'s (T2) meeting PowerPoint Presentation. He indicated that the Massachusetts School Building Authority's (MSBA) Comments on the Preliminary Design Program (PDP) Submission were received on February 22, 2023 and include: Increase eligible construction costs from \$360/SF to \$393/SF; Increase eligible site costs from 8% to 10% of construction cost; Explain cost increase from \$50-\$90 million to \$100-\$110 million; Additional options required for Preferred Schematic Report (PSR), including code upgrade/base repair for DeValles and Congdon, addition/renovation for Congdon for 760 students, addition/renovation to DeValles for 400 students, and new construction for 400 students; and Clarifications on Educational Program. Mr. Turowski indicated that T2 had a conference call with the MSBA to discuss their Comments and it was discovered that the MSBA is requesting more options for cost purposes but that the options are not required to pursue. T2 had a meeting with Mr. Pires and Ms. Aungst on March 6, 2023 to review revisions to the Educational Program. T2's formal response to the MSBA is scheduled for March 10, 2023.

Mr. Turowski presented and discussed the update on school tours with some Committee members. A tour of Fairhaven High School was held on February 2, 2023, which showcased incorporation of old design features in the new addition. Another tour of Cabot Elementary School was held on February 9, 2023, which showcased additions that were in relation in scale to the existing building.

Mr. Brennan presented and discussed the update on existing conditions. The recently completed survey water, sewer, stormwater, gas, and electrical services are available on Orchard and Bonney Streets. The recently completed preliminary geotechnical report findings indicate unsuitable fill between 8' – 16' deep, organic soils in borings 3, 7, and 8 below fill, natural soils contain silty sand and some gravel, boring depth of 18.5' – 21', refusal in borings 1, 4, and 6 at 18.5' 0 19.3', ground water encountered between 4' – 9.8', and ground water monitoring well installed at boring 5. The groundwater well is located next to the DeValles' existing auditorium. The basement slab is close which speaks to the current flooding issues. Because there is 12' fill and 2' organic material, a building cannot bear on it. As such, T2 has some recommendations: Remove fill soil but excavate through the street, exporting all unclassified soil and replacing it (full removal not required below parking and site features); Improve soil with aggregate piers which stabilizes the soil; and Improve soil with rigid inclusions. There were no explorations on Goodyear or plaza sites, but it most likely similar soil. It will be an issue on any building. Mr. Turowski indicated that T2 will do a cost analysis for the best approach.

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Mr. Turowski and Mr. Brennan presented and discussed an update on design options for combined school for 760 student enrollment, as voted by the Committee on January 25, 2023: Option 3B (addition/renovation on existing site); Option 4B (new construction on existing site); Option 5B (addition/renovation on extended site to the north – 2 options); Option 6B (new construction on extended site to the north); Option 9B (new construction on Goodyear site – 2 options). Option evaluations based on required criteria revealed that Options 6B and 9B2 met all criteria. T2 asked the Committee to vote on eliminating one of the options for 5B. Mr. Oliveira issued a roll call vote. Voted unanimously on a motion by Rebecca Kanter and seconded by Dr. Rabinovitch to eliminate Option 5B1. T2 asked the Committee to vote on eliminating one of the options for 9B. The Committee determined it needs more time to evaluate. Ms. Aungst expressed concerns regarding the placement of the gymnasium and cafeteria in relation together, as well as the need for protected play areas. Mr. Nickerson expressed concerns with parking differences between both options. Ms. Turowski indicated that more parking could be developed on Option 9B2. Ms. Carloni expressed concern with the layout in relation to connection to the public. T2 indicated they would work on addressing the issues and present revised options for 9B at the next meeting. Mr. Turowski indicated that all options are a 3 or 4 level building and that 2-story buildings may be explored but there are reservations about the soil issue, length of the building, and sacrifice of play areas and parking.

Mr. Brennan presented and discussed an update on site procurement process. He indicated that there are two processes for site procurement: open a Request for Proposals (RFP) or no benefit determination. Both require City approval. The total anticipated timeframe for the RFP option is 3.5 to 4 months minimum. The total anticipated timeframe for the no benefit determination option is 2.5 to 3 months minimum. Mr. Brennan discussed a Licensed Site Professional (LSP) review of Environmental Protection Agency (EPA) documents and Area and Use Limitation (AUL) for each site. He expounded that a consultant, Universal Environmental Consultants, has been hired to perform a document review and report by March 24, 2023.

Dr. Rabinovitch presented and discussed the Uniform Procurement Act PowerPoint Presentation. He indicated that Massachusetts Procurement Law, Chapter 30B, section 16(e)(2) indicates that “the governmental body may shorten or waive the advertising requirement if ... advertising will not benefit the governmental body’s interest because of the unique qualities or location of the property needed.” In this case, there is no public benefit to advertise because the goal is to stay within the same walking distance to the two current schools and there are not any other properties in the area, one potential site used to extend the current DeValles site is 486 Orchard Street (plaza) because it has potential for contiguity with the existing site whether addition/renovation or new construction, and in the case of the Goodyear site, it provides the largest available parcel in the area. Dr. Rabinovitch indicated that timing is critically important, as delaying the current schedule would cause a three-month delay and could result in an additional \$700 thousand to the total project cost, based on the normal 3% cost escalation per calendar year.

Dr. Rabinovitch indicated that at a minimum, the site chosen must satisfy the following: Property located within the city limits, and within the Congdon and DeValles Schools general catchment area, south of Rivet Street, west of County Street, east of Dartmouth Street, and north of Cove Street; The site must have minimum of 4 acres – consideration will be given to sites that through direct shared property lines or common street frontage to the existing DeValles School site, will, when combined with the DeValles School site, meet the minimum acreage requirements; At least 400 feet of frontage on at least one public way, preferably more than one public way (any public ways must be duly laid out and accepted by the City or other government entity); The site geometry must be fairly regular in shape (rectangular shapes are preferred); There must be a proper and clear deed of the property, free from liens or any other restrictions of sale; The property shall have access to city water and sewer in adjacent streets; The property must be able to support three phase power to the site; The property shall have access to telephone and high speed cable infrastructure; The property must comply with City of New Bedford ordinances, including zoning to support a school use at least 4 stories, 60 feet in height; Free of easements, or easements that are identified and will not interfere with the City’s intended development of the site; The property must be a single parcel, or contiguous parcels that in aggregate meet the minimum size requirement, or a parcel or contiguous parcels which in aggregate with the existing DeValles site meet the minimum size requirement.

Dr. Rabinovitch discussed the potential timeline for site acquisition. He indicated that the district’s attorney, Shannon Shreve had drafted a memorandum for Mr. O’Leary to present to Superintendent Thomas Anderson on March 8, 2023. The March 13, 2023 School Committee meeting will vote on endorsing the use of M.G.L. Ch. 30B, section (e)(2). A memorandum

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from Superintendent Anderson to Mayor Jonathan Mitchell regarding the use of M.G.L. Ch. 30B, section (e)(2) will be sent March 14, 2023. The March 24, 2023 City Council meeting will request to the City Properties Committee the use of M.G.L. Ch. 30B, section (e)(2) . The April 13, 2023 City Council meeting will vote on the use of M.G.L. Ch. 30B, section (e)(2). The final determination for site selection will be by the School Building Committee once the LSP report is obtained.

Mr. Turowski presented and discussed the project schedule: The submission to the estimator is March 24, 2023. The next School Building Committee meeting is March 28, 2023 at 4:00PM. A subsequent School Building Committee meeting is April 11, 2023 at 4:00PM. A vote will be required, subject to the City Council vote on April 13, 2023. April 27, 2023 is the PSR submission to the MSBA. May 17 and 24, 2023 are the MSBA FAS meetings in which some of the MSBA Board members critique the PSR submission. June 21, 2023 is the MSBA Board Approval to allow us to go to the Preferred Schematic Design phase (Module 4). Mr. Pallotta explained that once we are in Module 4, we obtain an estimated cost of the project budget which does not change once Form 3011 is submitted. The Schematic Design will be submitted on October 26, 2023. December 13, 2023 is the MSBA Board approval.

Mr. Oliveira inquired the Committee as to meeting time preference and it was determined that 4:00PM meetings were most convenient.

Mr. Oliveira moved to adjourn the meeting at 5:28 PM, seconded by Dr. Rabinovitch, and approved unanimously by roll call vote.



Andrew B. O'Leary,
Assistant Superintendent of Finance & Operations

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