
PICKERING & WEST LYNN MIDDLE SCHOOLS – Lynn, MA

RESPONSES TO QUESTIONS ASKED AND STATEMENTS MADE ON THE LCTV PROGRAM – February 22, 2017

Has the Study Process been grossly unfair?

- No. The study process been conducted with the highest level of integrity and transparency possible. Every Building Committee Meeting was posted as an open meeting invitation to the public and has been held at City Hall. There have been no meetings held behind closed doors or in executive session.
- The project website has been constantly updated with the latest presentations, meeting minutes, and submissions to the MSBA.
- The Building Committee has held three Community Forums; one at the Thurgood Marshall Middle School and two at the Pickering Middle School. Two of the three forums have been broadcast on Cable TV.
- The project has been presented to the School Committee on several occasions. These meetings were posted and open to the public and were broadcast on Cable TV.
- The project has been presented to the City Council which was posted and open to the public. This meeting was broadcast on Cable TV.

Why hasn't the City held a meeting for the neighborhoods abutting the Parkland Avenue site?

- All Building Committee Meetings are posted and open to the public. Three specific open forum meetings were advertised and held for public comments. The public comments that had content beyond emotion were all addressed. We moved the school away from the B Street/Basse Road neighborhood. We provided a buffer from the school to the Parkland Ave. homes. We eliminated vehicular access from the Shoemaker Road/Averrill Street neighborhood. We reduced the footprint of the school to maintain 32 acres of undisturbed land. We sited the school to not be visible from any of the neighborhoods. We went from three homes being taken by eminent domain (which was the best scenario for the school and the homeowners) down to one property taking. We heard the issue regarding excessive traffic on Parkland Ave and will be installing a traffic light and improving the intersection to help regulate traffic flow. The team cannot single out a specific group and solicit only that group. It has to be held as an open meeting to all. A team of licensed professionals in the fields of environmental science, civil engineering, geotechnical engineering and traffic engineering were hired to evaluate each site and provide an unbiased professional opinion on each site. The decisions made by the School Building Committee were made without bias and based on hard facts and in actuality came down to the only two sites that were the most viable in respect to all evaluation criteria. The decisions were not based on emotion.

Did the MSBA direct the City of Lynn to respond to the 85-page document sent from the "Protect Our Reservoir, Preserve Pine Grove" group to the MSBA?

- The MSBA responded to the Pine Grove Group indicating that they reviewed their 85-page document and made it clear in their response that the issues presented in the document were

of a local matter and not one that the MSBA would respond to as the MSBA was satisfied with the submissions presented by the City of Lynn on the two project sites. MSBA considered all information provided to be complete and backed up by legal documentation, by research and opinion of licensed professionals in the various fields of expertise required and were presented in a factual and unbiased way. The MSBA reviews of the submissions were also performed by licensed professionals. As a result, the MSBA approved state funding for the two projects.

Why has the City not responded to the 85-page document sent from the “Protect Our Reservoir, Preserve Pine Grove” group to the MSBA?

- In the City, School Building Committee and MSBA’s opinion, the three submissions on the two schools and sites were made public and addressed all issues raised in Pine Grove Group’s 85-page document. A separate response specifically to the Pine Grove Group reiterating the information provided was unnecessary.

Does the Pickering/Parkland Avenue Site cost more to develop than other sites?

- It was stated that the construction of a school at the Magnolia site was \$68 million and that the Reservoir site was \$18 million more. The comparison was for the construction costs only of the Magnolia site while the total project costs of the Reservoir site was cited. This statement was intentionally misleading as the information on construction costs and total project costs have always been provided together. These numbers came from the Preliminary Submission made to MSBA and have been since refined to the budget that was approved by MSBA on February 15, 2017. It should be noted that the approved budget for the Pickering School at the Reservoir site is much lower than the preliminary numbers:

• The current costs for the Parkland Ave site are:	The preliminary costs were:
66,693,697 – Construction Costs	\$ 69,062,406 (Previous Costs)
\$79,306,923 – Total Project Costs	\$ 81,697,965 (Previous Costs)
\$83,661,513 – Total Costs with Contingencies	\$86,179,288 (Previous Costs)

The preliminary costs for the Magnolia Site were:

\$67,868,629 – Construction Costs
\$81,389,418 – Total Project Costs
\$85, 853,816 – Total Project Costs with Contingencies

- We never revised the costs at Magnolia Park to include the costs of relocating the MWRA water line and replacing the entire culvert because there were so many issues and undefinable costs associated with that site that we had already taken that site out of contention. However, it is safe to say that the costs to build at Magnolia Park would be significantly higher than the preliminary costs indicated above.
- Site development costs are only one of many cost line items that add up to the Total Project Cost to the taxpayers and typically represent around 10% of the construction costs. In the case of the Reservoir site, the site development costs are 10.2% of the total construction costs. As there are many variables from site to site in terms of the cost components, the Total Project Cost should be the only number relevant because this is the number that the state approves as its basis for the state grant and it is the number that the City must commit to in order to build

the project until a final reimbursement settlement between the MSBA and City is derived at the end of the project. The MSBA has provided their minimum total commitment of \$97,100,607 to allow reimbursements to the City to begin immediately on a monthly basis. The following is a breakdown of the numbers:

\$188,566,531	All Projected Potential Costs for Both Schools
\$97,100,607	MSBA Grant based on known costs before factoring in reimbursement for any Contingency Use
\$91,465,924	City share if all contingencies are used and the MSBA does not share in the costs of any of the contingencies
\$15,517,496	Typical Contingencies and Costs for Ballfields and Taking
\$75,948,428	Cost to City if no contingencies are used (City realizes cost of ballfield replacements and taking will be used and there will be no reimbursement from MSBA as these are considered outside of school funding. All other contingency use if needed will be reviewed for eligibility by MSBA for reimbursement as it is used.)
\$80,000,000	The City has determined this number to be the maximum tax burden to taxpayers which represents \$197/year for an average single family household.

- Three sites in the Pickering district were explored to replace the 652-pupil Pickering Middle School as part of the September 29, 2016 Preferred Schematic Report (PSR) submittal to the MSBA: The existing Pickering Site, the Magnolia Park site, and the Parkland Avenue site.
- The Project Cost to develop a viable addition/renovation at the existing Pickering School was estimated to involve four years of disruptive construction at a cost of \$65.2 million.
- The Project Cost to develop a new Pickering School at Magnolia Park in the September 29, 2016 PSR was estimated to involve two years of construction at a cost of \$85.85 million. At the time, this included an allowance of \$500,000 for work on the MWRA Water Main serving the towns of Marblehead and Swampscott, and \$800,000 for work on the City Storm Water Culvert. After conversations with the MWRA involving the condition of the water main, the arduous MWRA approval process, and seasonal limitations as to when it could be worked on, it became apparent that the allowance for replacing/relocating the MWRA water main should be significantly increased, that there would be a significant time increase on the construction schedule (with its own costs), and that significant increases in the City's contingency budget would be required. These costs would have easily increased the Project Cost well above the cost of developing the Parkland Avenue site, and come with more schedule and contingency risks for the City. For these reasons, as well as the traffic impact on Wyoma Square, the Magnolia Park site was removed from further consideration.
- The Project Cost to develop a new Pickering School at Parkland Avenue in the September 29, 2016 PSR was estimated to involve two years of construction at a cost of \$86.2 million. After detailed engineering and cost estimating analysis, the Project Cost at Parkland Avenue was actually lowered to \$83.7 million in the January 4, 2017 Schematic Design Submission to MSBA.

Why is it hard to pin down the exact (temporary) tax increase that this project will have for the average homeowner? Can you put it into ‘dollars per \$1,000 of assessed value’?

- Based on the approved costs for both schools as indicated above, the tax impact on the average single family household tax bill, based on a final cost to the City of \$80M for a 25-year return, has been determined to be \$197/year utilizing today’s bond rates, City tax base and projected project timeline. A guide for use by all taxpayers would be that the tax burden represents an approximate 4.5% increase in a taxpayer’s current tax bill.
- Taxpayers should not expect an increase until FY19 nor should they expect an immediate jump to the full \$197 amount in their tax bills in FY19. It is very unlikely that the full \$80M would be bonded up front. There will be at least two, and likely three rounds of borrowing, maybe an initial bond of \$40M, a second round of borrowing of \$30M, and a final borrowing for the exact balance at the close of the project. The resulting tax payments would be spread out over the project timeline.
- Under this scenario, the initial borrowing would likely increase the average annual bill by \$100, with the second bond and third bonds not affecting bills until 1 to 3 years after FY19. Therefore, the increase to the full \$197 amount would be phased in gradually over a 3-4 year period and not one immediate lump sum increase. All bond payments related to the project might not be fully counted until FY22.
- Because bond payments, unlike mortgage payments, are not level over the term of the bond, but rather decrease gradually each year over the bond term, by the time the final bond impacts tax bills, the payments on the first two bonds would already be declining by the time the cost of the last bond was added. Therefore, the full \$197 would not likely ever be reached.

If the Debt-Exclusion vote is successful, will it have any negative impact on the City’s bond rating?

- The bond rating for the City has already factored in the costs of the two schools as these projects have already been listed as potential debts.

What is the MSBA reimbursement rate? – Both 60% and 80% have been discussed.

- The official reimbursement rate assigned to the City by the MSBA is 79.58% based on income, property wealth and poverty factors. The two school projects were increased to the maximum 80% based on incentive points available to all school projects that comply. The 60% reimbursement rate was based on a rule of thumb and historical data from the recently completed Thurgood Marshall Middle School. It was used so that people understand that while the City of Lynn has an 80% reimbursement rate, it will never achieve the full 80% reimbursement. There are many factors that lower the reimbursement rate. MSBA caps site and construction costs and will only pay up to a defined percentage of the building costs for site work and up to a cost per square foot cap for construction costs regardless of what the actual cost of both are. There are other costs that MSBA will categorically not reimburse for and Change Orders and Contingency Use reimbursement is determined on an ‘as-used’ basis. As all projects are unique, the MSBA’s committed minimum reimbursement is not known until the Project Budget and Scope Conference which occurs a couple of weeks in advance of the MSBA Board approval of the Total Project Costs which occurred on February 15, 2017. Since the total

reimbursement from MSBA is not known until the projects are closed out, we used the 60%-40% ratio as a guideline to define the likely final split of costs.

Can the Existing Pickering School be added onto without going into the floodplain behind the school?

- No, it cannot. The diagram of the addition shown on the February 22, 2017 LCTV Show was an initial concept for a small addition that was explored and dismissed very early on in the educational programming phase of the study. It was not included in any of the City's submissions to MSBA.
- As the educational programming phase was completed, it was determined that a much larger addition would be required at Pickering. This larger addition would require incursion into the flood plain.
- Any renovation and addition project at the existing Pickering was dismissed because it would be an extremely disruptive four-year, phased, construction project on an occupied school site. Relocation of students during certain phases would have been required and there was no place to put the students. The existing Pickering would never be able to accommodate the educational programs that are currently provided at the middle school level and that were incorporated into the new Thurgood Marshall School. It would also take away Sisson Elementary School's ability to gain a Cafeteria and Gym which it currently lacks and to provide additional elementary classrooms.

What is the cost of replacing the City culvert and MSBA water line on the Magnolia Field site, and why does it seem to keep going up?

- Preliminary cost estimates were provided to the Building Committee in the spring and summer of 2016 during the MSBA Preferred Schematic Report phase of the study. During this stage of the study, there were still twelve different options under consideration to solve the City's enrollment and programmatic needs. As such, any numbers provided to the Building Committee included preliminary allowances by the design team, all of which were subject to refinement as options were narrowed down for more detailed cost development.
- As previously noted, initial allowances for the Magnolia Park site included an allowance of \$500,000 for work on the MWRA Water Main serving the towns of Marblehead and Swampscott, and \$800,000 for work on the City Storm Water Culvert. Conversations with the MWRA were held subsequent to the submission of the September 29, 2016 Preferred Schematic Report submission to MSBA as we began to further investigate sites that were still in consideration. Discussions with MWRA included the condition of the water main, the arduous MWRA approval process, and seasonal limitations as to when it could be worked on. Based on these conversations, it became apparent that the allowance for replacing/relocating the MWRA water main should be significantly increased and that there would be a significant time increase on the construction schedule that also would have a cost impact.

Why wasn't an addition proposed for the Breed Middle School?

- There are many reasons why a large addition at Breed was not proposed in lieu of the construction of a new Pickering Middle School on the Parkland Avenue site.

- The site is not located in the Pickering District and would open the School Department up to the need for busing which would come at perennial cost.
- The addition of 650 students from the Pickering District to the programmed 1,008 students at Breed would result in the largest middle school in the Commonwealth.
- There are already three schools in this neighborhood and adding 652 more pupils would exacerbate the existing traffic and congestion issues.
- The existing Breed Middle School would have to be fully renovated, which would add to the cost of the project, and a new school would still be required at West Lynn. The overall cost to the City for this option was the highest of all the options studied.

Why wasn't the Union Hospital site chosen for the new Pickering? The study says that a school like Thurgood Marshall Middle School could fit behind the hospital and leave the hospital intact.

- There are many reasons that the Union Hospital site was not proposed in lieu of the construction of a new Pickering Middle School on the Parkland Avenue site.
- The site is at the far end of the district and remote from most students.
- The statement made during the February 22, 2017 LCTV Show that the new school could be built behind the existing hospital is not correct. The planning diagram contained in the July 20, 2016 Preferred Schematic Report submission to MSBA shows the Thurgood Marshall Middle School footprint superimposed onto the Union Hospital site. Though it 'fits', it would require the demolition of the rear additions to the original hospital building, and cover two existing parking lots. The use of the Union Hospital site for a new school is therefore entirely dependent on the hospital moving out. For this reason alone, the site was not considered viable.

Why wasn't the Rockdale Avenue Site chosen for the new Pickering?

- The Rockdale Avenue site is privately-owned and has approved plans for subdivision. It would be costly to acquire. It is accessible via a narrow neighborhood street without the ability to accommodate public transportation. It is located on the edge of the City and not as centrally-located to best serve the geographical locations where students reside. Both of these issues would exacerbate already significant traffic issues in the area.

Why wasn't the Federal Street Site chosen for the new Pickering?

- There are significant problems with hazardous materials in the soil at the Federal Street site. The site is not considered safe for a school and DEP would not allow the site to be used for a school.

Why wasn't Gowdy Park examined as a site for the new Pickering?

- Gowdy Park is even more remote than the Union Hospital site and further from where the students reside.

Where will storm runoff water from the new Pickering at Parkland Avenue end up? Will it get into the reservoir?

- There will be NO runoff into the reservoir. There is a continuous high point/ridge between the reservoir and the area slated for the new Pickering Middle School. There will be no avenue for water from the new Pickering School to flow over this ridge and into the reservoir.
- All rain water from the new Pickering School will be captured and treated in bio-retention basins and underground storm water recharge systems in 100% compliance with all environmental and regulatory requirements. These systems all flow away from the reservoir and discharge downhill from the reservoir, with the water eventually finding its way into the City's storm water system.

Why can't the City build the new West Lynn Middle School first, put the Pickering kids into the new school, and tear down/replace the old Pickering at its existing site?

- The application to MSBA was for the Pickering Middle School. It had the greatest need within the City. MSBA allowed the City to split the Pickering Middle School into two schools to better serve the increasing enrollment and the geographical location of the students without forced busing and associated perennial costs. MSBA has tied the funding of the two schools together to ensure that the needs of the Pickering School are met within its own district. If the two schools were not tied together, the West Lynn School would be a separate project and would have to apply as a separate application to MSBA with an indeterminate timeline for acceptance. We worked hard to develop a construction schedule that would have both schools completing within four months of each other to ensure that the Project Funding Agreement is executed within the typical funding timeframe for a project. If we would be allowed to build only the West Lynn School first and move the Pickering students, it would delay by three years fulfilling the objective of the State funding grant to provide capacity for 1,660 students. The longer the timeframe for construction, the higher the costs which is currently tracking at a 4% annual escalation rate.

Why can't the City withdraw the project from MSBA, submit the new Pickering on a different site, and reapply for MSBA funding in July 2017?

- If the Pickering School were to be taken out of the MSBA pipeline and it were to be changed substantially from the current project that was approved by MSBA, the process would start over. Putting the Pickering School on a different site would be considered a Substantial Change by the MSBA for a number of reasons, the first of which is the impact on costs.
- The quickest that a Pickering School project could be back to its current status would be August of 2020. This would result in a potential school opening in the school year 2023-2024 instead of the currently projected school year of 2019-2020. Four years of inflation, and probable higher costs associated with a different site will result in a project that is much more expensive than the current proposal.
- It is unlikely that the MSBA would allow the West Lynn School to move forward while pulling out the Pickering School because it does not meet the funding objectives to provide for the MSBA-approved 1,660 students.
- Refer the MSBA Failed Vote Policy on their website, <http://www.massschoolbuildings.org>

- In order to get back into the MSBA pipeline, a City or Town must start with a Statement of Interest to the MSBA. Statements of Interest (SOI) are submitted once a year on or around the end of the first week of April. These SOIs are reviewed and applicants are provided eligibility into the MSBA capital pipeline in the fall of each year. There is a 270-day process to prove the applicant is ready to be invited to conduct a Feasibility Study for a project. Once invited, it takes approximately 12-14 months to get to where the Pickering Project is today.
- The MSBA's regulations specifically include a 120-day deadline from the MSBA Board approval of the Project Scope and Budget for a local appropriation to ensure that the MSBA's capital program funds are targeted toward projects and school districts that are ready and able to make the financial commitment and move forward in a timely manner. Given the overwhelming capital needs of school districts across the Commonwealth and the MSBA's limited capital program funds, the MSBA cannot indefinitely tie up funds allocated for a project that lacks local support. To date, the Board has approved more than 130 major renovation or construction projects, and of these, five failed to secure local approval with their first vote. Of these five, two have been removed from the MSBA's capital pipeline and have not received a second invitation into the process.
- In the event that the District fails to approve funding for the proposed new Pickering and West Lynn Middle Schools by June 15, 2017 (end of the 120-day deadline from the February 15, 2017 MSBA approval vote), pursuant to the MSBA's failed vote policy, by no later than 10 business days following the failed vote, the District would have to submit to the MSBA a plan that: (1) presents the vote results, (2) explains the District's understanding of the reason(s) for the failed vote, and (3) sets forth the District's plan to remedy the failed vote and a suggested timeline for such a remedy. The MSBA then would review the plan and determine whether it could continue to set aside MSBA funds for the proposed project.
- As long as the District continues to pursue substantially the same project approved by the Board, the MSBA will retain the work completed prior to the failed vote and use that as a basis of a proposed project if the District secures funding within a short timeframe after the failed vote. If, however, the District decides to pursue a project with a scope different from the proposed project approved by the Board, as determined by the MSBA, the District would have to submit a new Statement of Interest and await a second invitation to enter the MSBA's capital pipeline.
- If the MSBA's Board of Directors were to issue a second invitation, the District would have to conduct a Feasibility Study and schematic design at its own expense, without any reimbursement from the MSBA for those phases of the work.

Why can't the City tell the homeowner at 97 Parkland Avenue how much she will receive for her home, and how the relocation assistance works?

- There have been no market analyzes or appraisals done on the property. The City would not proceed with any steps or expenditures toward eminent domain until there is an approved project. Step one of the approvals has been completed with MSBA's approval on February 15, 2017, and now the City must vote on whether to approve the projects or not on March 14, 2017. Only if there is approval of the projects by the residents of Lynn would the City Council vote to start the eminent domain process and expend the money to perform market analyzes and appraisals.

Why hasn't there been an Environmental Impact Report done on the Pickering site?

- The Project's Environmental Scientist has mapped out all the environmental and regulatory requirements for the Reservoir Site. Please refer to the Reservoir Site Regulatory Controls Narrative on the Project's website.
- The site design needs to be complete before a Notice of Intent (NOI) application can be submitted to the MA Department of Environmental Protection. The storm water reports and calculations have to be completed before a NOI can be submitted. Several natural resource surveys are also expected to be required by the Conservation Commission/Lynn Bylaw which have to wait for the appropriate season. Examples: The check for a vernal pool will be this spring. There is a Conservation Commission/Lynn Bylaw requiring a bird nesting survey that would likely be done in May/June. The Environmental Notification Form (ENF) follows along the same timeline as the NOI. However, because the project is receiving State funding, the ENF must be submitted within 10 days of signing a Project Funding Agreement for which MSBA has established a deadline of June 15, 2017.