



City of Woburn Massachusetts

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Scott D. Galvin
Mayor

July 6, 2015

Mary Pichetti, Director of Capital Planning
Massachusetts School Building Authority
40 Broad Street, Suite 500
Boston, MA 02109

Reference: Woburn Wyman-Hurld Elementary School
Woburn, Massachusetts

Subject: Woburn Vote to Appropriate Funds

Dear Ms. Pichetti:

The Wyman-Hurld project has strong support in the community, including the support of the City Council. Because of the existing on-site farm pond and the proximity of a wetland northwest of the site, the Wyman-Hurld school project is subject to the jurisdiction of the Woburn Conservation Commission and the Wetlands Protection Act.

The School Building Committee took proactive measures, directing the design team to perform very detailed site design work during the Schematic Design phase, enabling the City to submit a Notice of Intent (NOI) to the Conservation Commission at the end of Schematic Design.

In addition, the site design team was augmented with specialized consultants who contributed a high degree of hydrogeological, habitat and storm water management experience that shaped the site design of the new school.

The SBC's intent was that the Conservation Commission's review would be completed and an Order of Conditions issued before the City Council voted full appropriation of project funds. The submission of the NOI began a lengthy and exhaustive Conservation Commission review process over the next few months, including numerous submissions, hearings and reviews (listed below).

At the end of its review, the Conservation Commission issued an Order of Conditions to which we take no exception.

02/23/15	NOI Submission
03/12/15	<u>Public Hearing #1: NOI</u>
03/31/15	Peer Reviewer Work Session #1
04/02/15	Waiver Request Submission
04/09/15	<u>Public Hearing #2</u>
04/16/15	Peer Review #1: Response Submitted
04/30/15	<u>Public Hearing #3</u>
05/14/15	Peer Reviewer Work Session #2
05/21/15	Peer Review #2: Response Submitted
05/28/15	<u>Public Hearing #4 / Hearing Closed</u>
06/12/15	Order of Conditions Issued

As you are aware, there has been opposition by a handful of residents to the selection of Spence Farm as the site for the new school. As the Schematic Design phase progressed, the opposition took the form of a neighborhood group (“The Wyman Neighborhood Group”) expressing concern as to the project’s effect on neighborhood flooding.

On June 25, 2015, the Wyman Neighborhood Group appealed the Order of Conditions issued by the Conservation Commission. This action will further extend the regulatory review process.

By statute, DEP must reach a decision on the protest no later than September 03, 2015. Because of the depth and responsiveness of the NOI submission, (which the Chair of the Conservation Commission has repeatedly recognized for the record), we are confident DEP will find in favor of the project.

The Conservation Commission process has resulted in additional costs not included in the Project Budget voted and approved by the MSBA Board on March 25, 2015. After submitting the NOI, the design team has expended considerable effort (and expense) in responding to the questions of the Conservation Commission and its peer reviewer, as well as in addressing comments made by an engineering consultant retained by the neighborhood group.

Also, to address concerns expressed by neighbors at the public hearings, the Commission’s Order of Conditions imposed additional, unexpected environmental monitoring requirements during construction. Finally, the DEP appeal process will require additional effort to defend.

These costs are summarized below.

<u>Activity</u>	<u>Cost</u>
Additional NOI Fees Expended	\$ 66,750
DEP Appeal (Estimated, including OPM)	\$ 50,000
Environmental Monitoring (Estimated)	<u>\$ 92,250</u>
Total	\$ 209,000
≈	\$210,000 (Round-off)

In addition to the above design, OPM and environmental monitoring costs, there will be additional costs due to construction escalation, plus possible cost increases resulting from DEP's ruling.

Since the City Council will not vote the appropriation until the DEP appeal process closes, the purpose of this letter is twofold:

We request that under the provisions of paragraph 6.1 of the Project Scope and Budget Agreement, the MSBA extend the PSBA appropriation due date of 23 July 2015 to 01 December 2015, when it is anticipated that the appeal process will be closed and the City Council's vote taken.

Please note that this delay will likely result in the occupancy of the new Wyman-Hurld School being delayed to the start of the September 2018 school year from the previously scheduled January 2018 occupancy. The Woburn School Department has agreed to this necessary schedule change.

We respectfully request the \$33,705,596 project budget be increased by an additional \$210,000 to reflect the extraordinary environmental consulting and monitoring costs that were unknown at Schematic Design.

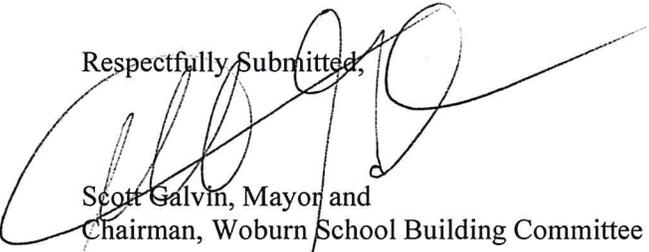
We further request that the increased project cost, as well as future resultant costs (such as construction escalation, etc.) that will be identified as the appeal process is concluded be included in the final increased project budget.

The Wyman-Hurld School Building Committee is determined to see this project through to a timely completion, and we are confident the appeal to DEP is a delay that will not affect the successful completion of the project.

We are grateful for the productive partnership the City of Woburn has shared with the MSBA, and look forward to the successful construction of our sixth new school achieved as a result of this valued relationship.

The MSBA's assistance and commitment is greatly appreciated.

Respectfully Submitted,

A large, stylized handwritten signature in black ink, appearing to read 'Scott Galvin', is written over the text 'Respectfully Submitted,'.

Scott Galvin, Mayor and
Chairman, Woburn School Building Committee

Attachments: March 10, 2015 Letter to Diane Sullivan, with Certified Feb. 5, 2015 School Building Committee Meeting Minutes

cc: Caulen Finch, MSBA Project Manager
Katie Loeffler, MSBA Capital Program Manager
Patrick Saitta, Municipal Building Consultants
Kenneth DiNisco, DiNisco Design Partnership
Donna DiNisco, DiNisco Design Partnership
Richard Rice, DiNisco Design Partnership