

CITY OF NEWTON

IN BOARD OF ALDERMEN

FINANCE COMMITTEE REPORT

MONDAY, OCTOBER 22, 2012

Present: Ald. Gentile (Chairman), Ciccone, Linsky, Salvucci, Rice, Blazar, Fuller and Lappin
Also present: Ald. Hess-Mahan

City officials present: Dori Zaleznik (Commissioner of Health and Human Services), John Lojek (Commissioner of Inspectional Services), Maciej Konieczny (Project Manager; Public Buildings Department), Miriam Tuchman (Project Manager; Public Buildings Department), Carol Chafetz (Director of Operations and Environmental Affairs), David Turocy (Commissioner of Public Works), David Wilkinson (Comptroller), and Robert Rooney (Chief Operating Officer)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#319-12 ALD. FULLER, LAPPIN AND SALVUCCI requesting a discussion of the benefits and drawbacks of using a Construction Manager at Risk and the most effective ways of managing construction and controlling costs. [10/02/12 @ 10:57 AM]

PUBLIC FACILITIES TO MEET

ACTION: NO ACTION NECESSARY 7-0 (Linsky not voting)

NOTE: The Chair informed the Committee that the Angier School Building Committee had voted to recommend that the Mayor use the construction manager at risk process for the Angier Elementary School Project.

The attached presentation from the MSBA provides a comparison of the construction manager at risk process versus the build-bid-design process. The presentation also includes information on which types of projects are appropriate for which process. In general, the construction manager at risk process is appropriate for complex projects. Projects that have tight schedules, constrained sites, or a high probability of concealed conditions should be considered for the construction manager at risk process. Projects that pose minimal risks related to building conditions, complete construction projects, no early site packages and a conventional schedule would be appropriate for the design-bid-build process.

The Angier School site is a constrained site with a completion deadline, which makes it appropriate for the construction manager at risk process. It was pointed out that should the City feel that the construction manager at risk process is not going well the City can switch to the traditional design-bid-build process. The City's Owners Project Manager for the Angier School Project is currently involved in nine projects seven of which are using the construction manager at risk process. The construction manager at risk process is not a cost savings methodology but a way for the City to determine actual cost for a project that is complex early on in the project. One of the benefits that the City realized during the Newton North High School Project was that there were no claims filed against the City.

There may have been some changes to the construction manager at risk language since the City used the process for Newton North High School regarding the absorption of hazardous material abatement costs. Commissioner of Public Buildings Stephanie Gilman will research and determine what changes have been made.

The Committee voiced its approval of using the construction manager at risk process for the Angier School. Ald. Fuller moved no action necessary on the item, which carried unanimously.

#318-12 HIS HONOR THE MAYOR requesting authorization to expend seventy thousand dollars (\$70,000), which represents the first year of a five-year, \$350,000 reimbursement grant from the United States Food and Drug Administration for the purpose of strengthening, standardizing, and documenting food safety inspection and community outreach activities of the Health and Human Services Department. [10/09/12]

ACTION: **APPROVED 8-0**

NOTE: Commissioner of Health and Human Services Dori Zaleznik explained that the Health and Human Services Department has been awarded a grant from the United States Food and Drug Administration (USFDA). The grant is a five-year, \$350,000 reimbursable grant to be used to strengthen, standardize, and document food safety inspections at food establishments. The Health and Human Services Department would be reimbursed \$70,000 each year for the next five-years. The Mayor is requesting authorization to expend the first year's award of \$70,000. Once the Board of Aldermen authorizes the first \$70,000 of expenditure, the subsequent grant expenditure budgets will be reflected in the grant and revolving fund section of the operating budget.

The first year of funds would be used to hire a standards coordinator and develop software to standardize food inspections. The department would love to establish a grading mechanism for food service establishments. Each year the funds for the consultant decrease as the department becomes familiar with the standardization of the inspections and new software. As the funds for the consultant decrease, they will be used for community outreach programs and collaboration with other communities.

Commissioner Zaleznik will be responsible for meeting all of the federal guidelines and reporting requirements associated with the grant. The Health and Human Services Department is the recipient of a number of state and federal grants; therefore, they are familiar with grant management and grant reporting requirements. The Committee members emphasized the importance of meeting all the financial reporting requirements, as inaccurate reporting impacts the City's external annual audit.

Ald. Lappin moved approval, which carried unanimously.

#304-12 HIS HONOR THE MAYOR requesting authorization to expend up to fifty thousand dollars (\$50,000) in gifts for the purpose of furthering the ideals of the Commission on Disabilities. [09/24/12 @5:48 PM]

ACTION: APPROVED 8-0

NOTE: Commissioner of Inspectional Services John Lojek presented the request to authorize expenditure of up to \$50,000 from a receipts reserved account for gifts and donations received to further the ideals of the Commission on Disability. The City recently established a receipts reserved account and there is currently \$1,100 received in memory of Gloria Cohen, a former member of the Mayor's Committee on Disabilities. The Commission on Disability has yet to determine how the funds would be used but expect them to be used to serve the disabled. The Commission would have to discuss and vote to expend the funds.

Comptroller David Wilkinson explained that the City has a number of gift accounts, which are established to allow Boards and Committees to expend the gifts. These accounts received the same level of oversight as revolving funds or capital project funds. The approval of this item gives the Commission the ability to expend the \$1,100. It is standard procedure to request expenditure of up to \$50,000, as the Board or Commission would not need to come back to the Board for each gift or donation received in order to expend it. With that, Ald. Lappin moved approval, which carried unanimously.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#321-12 **HIS HONOR THE MAYOR** requesting authorization to appropriate the sum of six hundred ninety-five thousand five hundred fifty-eight dollars (\$695,558) from bonded indebtedness for the purpose of completing design services through the construction administration phase of the Carr School Building renovation project.
[10/09/12 @ 2:37 PM]

PUBLIC FACILITIES APPROVED 7-0 on 10/17/12

ACTION: APPROVED 5-0-2 (Blazar, Fuller abstaining; Linsky not voting)

NOTE: The Board of Aldermen previously approved \$300,000 for design to bring the Carr School Building renovation project to the site-plan approval process. The project is at 100% schematic design and moving through the site-plan approval process; therefore, this is a request for \$695,558 to bring the project to 100% construction drawings. The cost of design services have risen as the scope of the project has grown. However, the additional design money will come from the design contingency, which was set at 10% at the beginning of the project planning process. It is appropriate at this time to use the design contingency, as the project is at 100% schematic design and there is a better sense of what is required for construction design.

It was pointed out that the site plan approval was held in the Public Facilities Committee. The 5-58 ordinance states that the Board of Aldermen cannot approve an appropriation of funds for detailed construction plans until the site plan is approved by the Board of Aldermen. Therefore, if the Public Facilities Committee has not voted the site plan before the next full Board of Aldermen meeting, action on this item by the Board of Aldermen will need to be postponed.

The Committee reviewed the attached Carr School renovation estimate. The estimate for the renovation has risen from between \$8 and \$10 million to \$12,769,343. The cost of this project has increased substantially even taking into consideration that the scope of the project has

changed. Several members of the Committee were troubled with the increase and felt that the City needed to find a better system for estimating large-scale projects.

Project Manager Mariam Tuchman reviewed the major areas of the project where the cost has risen such as the roof replacement, interior finishes, site work, hazardous material abatement, and accessibility compliance as outlined in the attachment. In addition, she informed the Committee that the cost estimate assumes an escalation of \$235,107.

Committee members were concerned that the increase in the project cost would affect other planned capital improvement projects. Chief Operating Officer Robert Rooney explained that the increase would be funded through savings from several projects that have been closed out, such as the Newton North High School Project. The additional funds for the Carr School Project were incorporated into the City's debt schedule and should not influence any other projects.

It was suggested that the Public Buildings Department investigate the possibility of using the construction manager at risk process instead of the design-bid-build process. Commissioner of Public Building Stephanie Gilman stated that it might be too late to use a construction manager at risk as the City would need to apply to the Inspector General for approval but she will investigate the possibility.

There was a question regarding what the worst-case scenario for cost growth would be if the City has to include the add alternates that are part of the attached estimate. The next question was related to cost escalation and how the City can be confident that future construction projects are not going to increase at a substantial rate. The Chair pointed out that these questions are not related to the item before the Committee but there would be an opportunity to discuss both questions at a Committee of the Whole discussion in the near future. With that, Ald. Rice moved approval, which carried by a vote of five in favor and two abstentions.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#54-12 **ALD. SALVUCCI, BLAZAR AND FULLER** requesting the creation of a revolving fund into which 50% of all betterment income shall be deposited to be used exclusively for individual requests for betterments. [02/02/12 @ 10:21 AM]

ACTION: **PUBLIC FACILITIES APPROVED 6-0-1 (Crossley abstaining) on 10/17/12**
APPROVED 6-0 (Blazar, Linsky not voting)

NOTE: The Department of Public Works has not done any homeowner requested sidewalk or curb betterments in approximately 10 years. Ald. Salvucci and the co-docketors are proposing the creation of a revolving fund to be used exclusively for betterments requested by property owners. The current betterment revolving fund, which was created for funding individual betterments, is being used for betterments done in the course of street reconstruction projects. The proposed revolving fund would be funded with 50% of all income collected from completed betterments. The other 50% of collected income would continue to be used for betterments during road reconstruction projects.

Commissioner of Public Works Dave Turocy explained that when the Public Works Department repaves a street, the property owners on that street are offered a curbing betterment. Commissioner Turocy added that it is more efficient for the Public Works Department to address betterment when they are working on a street. New sidewalks are installed at no cost to property owners during reconstruction projects. The Commissioner is planning to continue this practice for both types of betterments, as one of the Administration's goals is to make Newton more walkable and additional sidewalks benefit the community. If an individual property owner were to request a sidewalk betterment, the Commissioner would need to determine where the sidewalk is located and how much pedestrian traffic is in the area to prioritize the betterment. The closer a sidewalk betterment request is to a village center or school the higher priority it will become.

During the Public Facilities Committee's discussion of this item, the Commissioner suggested that the Committee consider raising the betterment assessment threshold from \$500 to somewhere between \$1,500 and \$2,000. The Public Facilities Committee agreed that an increase in the threshold was appropriate and an item requesting an increase will appear on the next docket. It was suggested that during discussion of the increase to the threshold, there should be some consideration of including language requiring a property owner to pay a specific up front cost whether or not the property owner is using the betterment option.

Ald. Fuller moved approval of the item, which carried unanimously.

The Committee adjourned at 8:35 p.m. and all other items before the Committee were held without discussion. Draft Board Orders for the above items that are recommended for Board of Aldermen action are attached.

Respectfully submitted,

Leonard J. Gentile, Chairman



#319-12

Understanding Your Choices: Chapter 149 or 149A

A comparison of the processes, risks and rewards

Tim Bonfatti, President, Compass Project Management

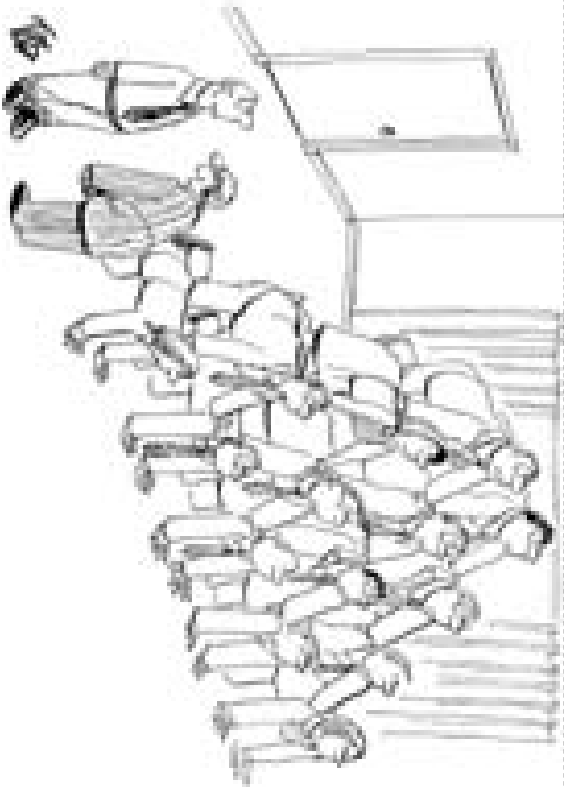
Mike Powers, Chairman, Symmes Maini & McKee Associates

Anthony Consigli, President/CEO, Consigli Construction

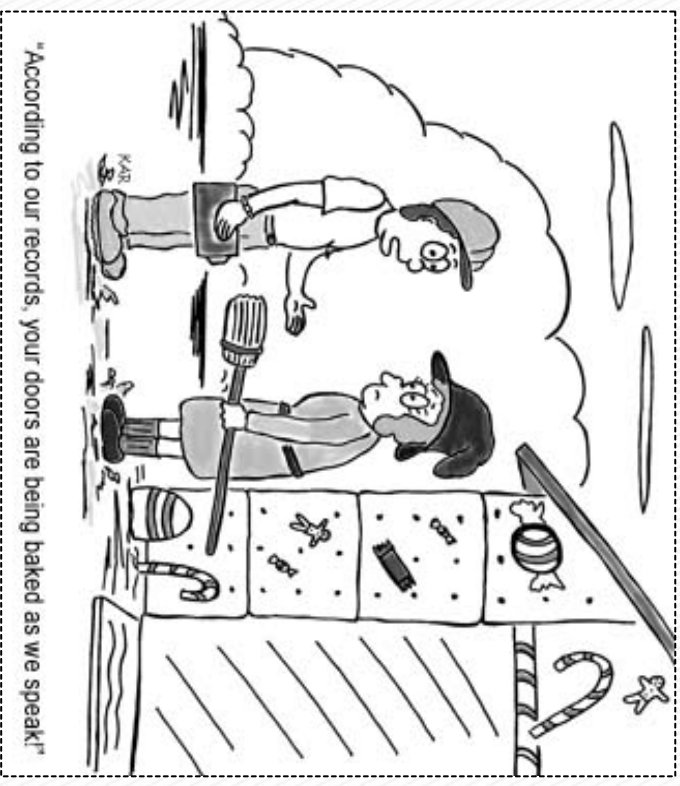


Understanding the Differences

#319-12



"You're this week's top person on the team pyramid."



"According to our records, your doors are being baked as we speak!"

CM at Risk

Design-Bid-Build

CM at Risk

#319-12

“During the 1970’s, a new type of firm evolved. Most were GC’s looking to provide services, work as part of teams, and eliminate adversarial environments on projects. In doing this they raised construction to a higher level of project delivery and added value to the end product”

*Project Delivery Systems for Construction published by AGC
2004*

Design-Bid Build

#319-12

“It is important to note that the constructor’s obligation is to satisfy the minimum requirements of the drawing and specifications. In the bidding process, the Owner asks for the lowest possible price to perform only those things that are absolutely required by the drawings and specifications and not more.”

*Project Delivery Systems for Construction published by
AGC 2004*

Key Difference

#319-12

- ▶ **With CM at Risk** – you are hiring a professional service firm which builds buildings
- ▶ **With D-B-B** – you are purchasing a building in accordance with detailed plans and specifications

Key Attributes

#319-12

- ▶ **CM at Risk**
 - Design Phase Services
 - Start before design is completed
 - Qualification–based selection
 - Negotiated price
 - “Open book” accounting
- ▶ **Design–Bid – Build**
 - No design phase services
 - Completed design
 - Lowest Responsive Bidder (prequalified)
 - Lump Sum Payment
 - Owner has no say in team (except prequalification of FSB’s)

Finding the Tipping Point

#319-12

- ▶ Bottom Line: Some projects are sufficiently “simple” that the initial cost savings with DBB outweigh the value-added services provided through CMR.
- ▶ IG Report on CMR: Owner’s view CM at Risk most appropriate for complex projects involving phasing, challenging logistics and aggressive schedules; DBB as most appropriate for new construction on open, clean sites, not time dependent.

OPM and CM at Risk

#319-12

- ◆ **REQUIRED SKILL SET** beyond Ch 149
 - Experience as CM or managing CM contracts
 - Know difference – CM contracts v Lump Sum
 - Working knowledge of construction accounting
 - Experience managing collaborative teams
 - Understand how CM's delineate scope between subcontractors
 - Understand differences between allowances, scope holds, and contingencies

OPM and CM at Risk

#319-12

MAJOR RESPONSIBILITIES

- ▶ Help AA decide on use of CMR or Ch 149
- ▶ Cultivate CM interest in project
- ▶ Draft CM RFQ and RFP – organize selection process
- ▶ Assist in drafting and negotiating CM contract
- ▶ Push for real value during preconstruction process

OPM and CM at Risk

#319-12

MAJOR RESPONSIBILITIES (cont'd)

- ▶ Negotiate GMP
- ▶ Understand and approve non-trade contractor scopes of work and procurement
- ▶ Manage “open book” – reimbursable costs vs. GC / Fee
- ▶ Recommend incentive payment – if applicable



#319-12

CM At Risk The Architect's Perspective



#319-12

CM At Risk Process

- ▶ Selection Process Critical
- ▶ Determine Appropriate Parameters
- ▶ Decide delivery process early
- ▶ Opportunity for construction input into design



#319-12

Optimization

- ▶ CM gives municipality an additional professional with construction savvy
- ▶ Bolsters Building Committee's knowledge of project
- ▶ CMR is a more comprehensive documentation process



#319-12

Value Engineering

- ▶ The most efficient time to value engineer any project is in the early phases.
- ▶ SMMA experiences on some of their school work clearly illustrate the difficulty of a later selection of the CM and the catch up process that ensues.



#319-12

Cost Control

- CMR process is introduced as quality-based process, however costs not guaranteed
- CMR leads to more confidence in pricing due to more comprehensive bid packages



#319-12

Relationships

- ▶ Team chemistry
- ▶ CM's should be chosen by experience with project type
- ▶ The opportunity for the team members to listen, evaluate and respond to various design oriented developmental issues during the design phase only enhances the final product.



#319-12

Assessing Project Risk

Hard Bid (149) vs. CM at Risk (149A)

- Chapter 149 – All risk factors need to be addressed prior to filed sub-bid process without input of GC

Lower risk projects more appropriate for Chapter 149

- Chapter 149A – CM engaged in pre-construction process to address risk factors prior to issuing trade and non-trade bid packages

Higher risk projects more appropriate for Chapter 149a



#319-12

Potential Project Risks

Factors Impacting Schedule, Cost and Quality:

- Unforeseen building or site conditions
- Incomplete architectural documents to bid
- Unqualified subcontractors, poor performance
- Subcontractor failures
- Working in and around occupied facilities
- Restoration or re-use of historic buildings
- Complex site logistics
- Adversarial team environment
- Inadequate GC staffing/general requirements
- Potential bid protests



#319-12

Lower Risk Projects Appropriate to Hard Bid (149)

- Minimal risk of concealed site and/or building conditions
- Adequate time to fully design into 100% construction documents
- Minimal logistical challenges
- Conventional schedule/schedule flexibility
- No need for early procurement



#319-12

Higher Risk Projects Appropriate for CM at Risk (149A)

- Schedule–driven, non–negotiable turnover dates
- Tight design–to–construction timeframe
- Requires early procurement to meet turnover date
- High probability of concealed conditions
- Complex logistical constraints
- Historical buildings
- Large projects with significant bid packages
- Occupied renovations
- Additions tied into existing buildings
- Projects targeting LEED and other sustainable goals



#319-12

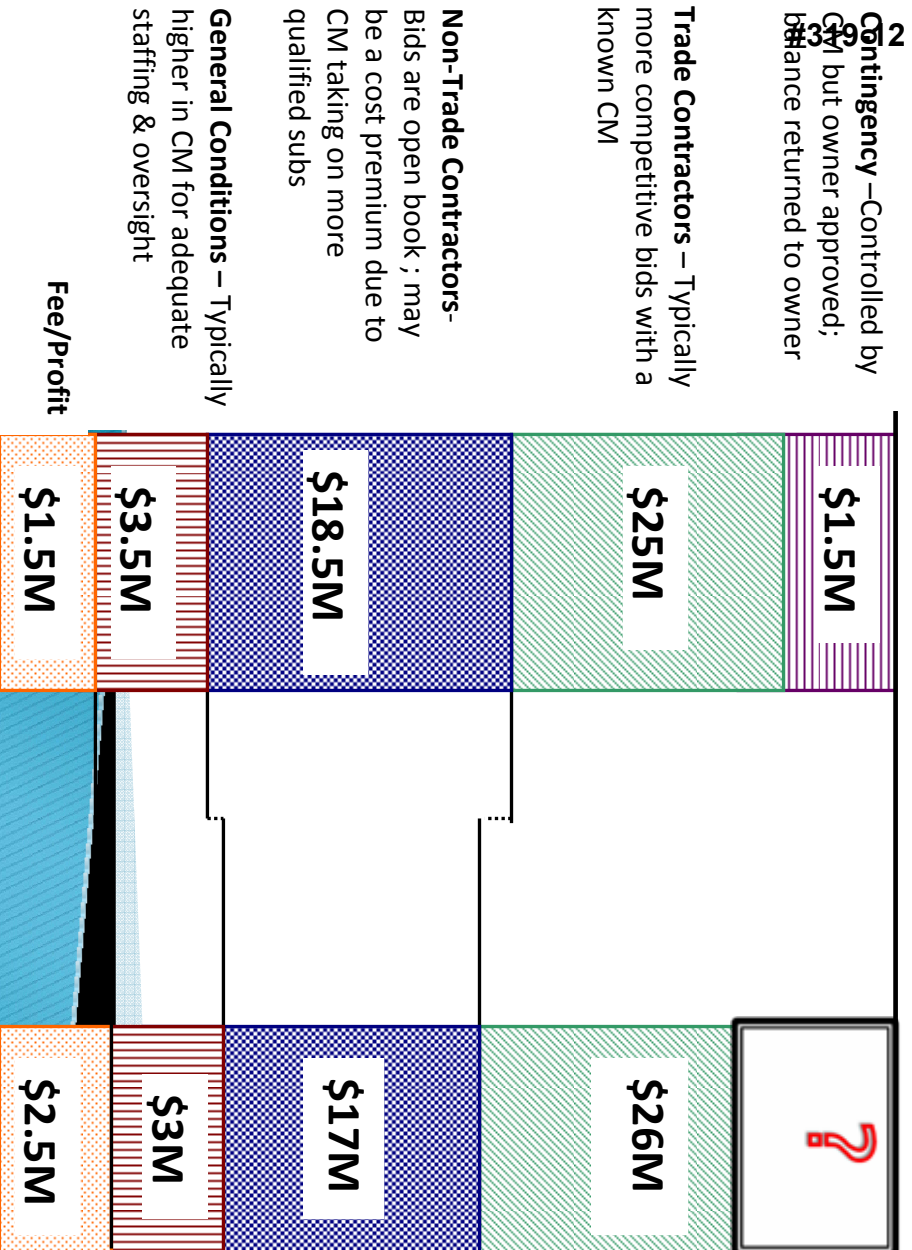
How Chapter 149A Can Help Mitigate Project Risks

- Opportunity to pre-qualify CMs and their teams
- Pre-construction services to address project risks
- Confirm existing conditions
- Design-to-budget process with architects
- Constructability reviews to 'fill in the gaps'
- Stricter subcontractor pre-qualification process
- CM contracts sub-bid packages
- Option to 'fast track' trades
- Open book
- Transparent GMP construction administration



Hypothetical \$50 Million K-12 School Project

How the number breaks down



Contingency – Controlled by GC but owner approved; balance returned to owner

Trade Contractors – Typically more competitive bids with a known CM

Non-Trade Contractors- Bids are open book ; may be a cost premium due to CM taking on more qualified subs

General Conditions – Typically higher in CM for adequate staffing & oversight

Fee/Profit

CM at Risk

Hard Bid

Change Orders - Typically higher % on hard bid – incomplete filed sub-bid packages and unknowns

Filed Sub-bids – Typically higher to cover risk of the unknown GC

Non-filed Sub-bids – Typically lower but owner does not have a chance to review bids

General Conditions – Typically lower to be low bidder

Fee/Profit – Higher fee on hard bid reflects buyout going back to GC



#319-12

Sub Bridging Document to Verify Full Scope

Department of Fire Services
Fire Fighter's Academy
Stow, MA
July 2, 2007



General Supplementary Conditions

Trade (Filed Sub-bids)

These supplementary conditions are intended to assist trade bidders (filed sub-bidders) in establishing items within the scope of their work. They are neither definitive nor all inclusive and do not relieve bidders of the responsibility to quote complete work packages. If any conflicts are found or any clarifications are needed, please forward an RFI to Consigli Construction immediately.

General: All bidders must provide for the following.

1. LEED conformance. See specification section 018113.
2. Prevailing wages. See attached appendix.
3. Phasing. See specification section 013110.
4. Show percentage of Commonwealth of Massachusetts State Office of Minority and Women Business Assistance (SOMWBA) certified minority and women business subcontractors and suppliers MBE/WBE included as part of your proposal. If certified Women and/or Minority businesses are included, please include a completed Schedule with your proposal. See Appendix B, Schedule XIII, and Letter of Intent and Schedule, attached.



#319-12

Tools to Assess Project Risk

Risk: Working in and around an operational environment

Risk Prioritization:

Budget: Medium

Schedule: Medium

User Impact: High

Steps to minimize risk:

- Conduct interviews with all key stakeholders.
- Prepare and implement a detailed site logistics and safety plan
- Explore methods to minimize dust, noise and vibration
- Involve our Safety Director in site planning, pedestrian traffic and OSHA requirements
- Prepare periodic community outreach bulletins throughout the construction phase

Best Addressed By (Circle One):

CM at Risk

GC

Risk: Achieving turnover date of August 2010

Risk Prioritization:

Budget: Medium

Schedule: High

User Impact: High

Steps to minimize risk:

- Building investigation to confirm existing conditions
- Early procurement of windows and MEP equipment
- Pre-qualified subs with ability to deliver on aggressive schedules
- Process to develop 1 00% CDS

New K-12 School, Chapter 149

#319-12



- ▶ **Schedule:** Outdated current facility; new school will be approximately the same size as the replacement
- ▶ **Logistics:** Plenty of available land; site can be isolated and presents minimal logistical challenges
- ▶ **Budget:** Site has been investigated for concealed conditions; adequate time to develop 100% construction documents
- ▶ **Procurement:** No need for early procurement to achieve fall 2012 turnover date
- ▶ **Subcontractors:** Time to develop complete filed sub-bid documents, not an aggressive schedule

New K – 12 School – Chapter 149A

#319-12



- ▶ **Schedule:** Existing facility is overcrowded and outdated; some classes are in temporary trailers
- ▶ **Logistics:** Minimal available land; either need to build major addition onto current school or build new facility in close proximity
- ▶ **Budget:** Speed of process has not allowed adequate time to investigate site and/or existing building conditions to determine most efficient approach
- ▶ **Procurement:** Project will require early packages to achieve Fall 2011 turnover date
- ▶ **Subcontractors:** Schedule adherence, quality and safety are big concerns, especially in close proximity to students



#319-12

Questions:

Thank you for joining us.



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#318-12

Telephone
(617) 796-1100

Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail

warren@newtonma.gov

October 9, 2012

Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

RECEIVED
NEWTON CITY CLERK
2012 OCT -9 PM 2:37
David A. Olson, CMC
Newton, MA 02459

Ladies and Gentlemen:

The U.S Food and Drug Administration (FDA) has awarded the City's Health and Human Services Department a five year, \$350,000 reimbursement grant, for purposes of strengthening; standardizing; and documenting food safety inspection and community outreach activities of the department.

A copy of the grant award and budget are attached.

The purpose of this communication is to request that the Board of Aldermen authorize the expenditure of \$70,000, which represents the first year of the five year grant award. All subsequent year grant expenditure budgets will be included in the grant and revolving fund section of the City's annual operating budget.

Thank you for your attention to this important matter.

Sincerely,

Setti D. Warren
Mayor

Cc: Maureen Lemieux, Chief Financial Officer
Dori Zaleznik, Commissioner of Health and Human Services

City of Newton



Setti D. Warren
Mayor

HEALTH AND HUMAN SERVICES DEPARTMENT

Dori Zaleznik, MD., Commissioner
1294 Centre Street
Newton, MA 02459-1544

Telephone 617.796.1420 Fax 617.552.7063



Public Health
Prevent. Promote. Protect.

October 5, 2012

Maureen Lemieux
Chief Financial Officer
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

Dear Ms. Lemieux:

I am requesting acceptance by the Mayor and the Board of Aldermen of a five-year \$350,000 reimbursement grant from the federal Food and Drug Administration (FDA) to the City of Newton Health Department. The grant is entitled, "City of Newton Prototype Program for Complying with Nine FDA Program Standards", and the grant is for work to strengthen, standardize, and document our food safety inspection program with outreach to the community. The award for this year through June 30, 2013 is \$70,000. A copy of the award letter and proposed budget is appended to this letter.

Sincerely,

Dori Zaleznik, MD
Commissioner

DZ:bm

RESEARCH & RELATED BUDGET - SECTION A & B, BUDGET PERIOD 1

* ORGANIZATIONAL DUNS: 0765768260000

* Budget Type: Project Subaward/Consortium

Enter name of Organization: City of Newton

* Start Date: 09/01/2012 * End Date: 08/31/2013 Budget Period 1

A. Senior/Key Person

Prefix	* First Name	Middle Name	* Last Name	Suffix	* Project Role	Base Salary (\$)	Cal. Months	Acad. Months	Sum. Months	* Requested Salary (\$)	* Fringe Benefits (\$)	* Funds Requested (\$)
1.	Dori		Zaloznik	M.D.	PD/PI		1.20			0.00	0.00	0.00
2.	Robin		Williams		Senior Environmental	65,777.40	2.40			300.00	0.00	300.00
3.	John		McNally		Senior Environmental	66,985.36	1.20			300.00	0.00	300.00
4.	Kyle		Simpson		Environmental Hea	50,311.56	1.20			300.00	0.00	300.00
5.	Matt		Destino		Environmental Hea	50,311.56	1.20			300.00	0.00	300.00
6.												
7.												
8.												
9. Total Funds requested for all Senior Key Persons in the attached file											Total Senior/Key Person	1,200.00

Additional Senior Key Persons:

B. Other Personnel

* Number of Personnel	Project Role	Cal. Months	Acad. Months	Sum. Months	* Requested Salary (\$)	* Fringe Benefits (\$)	* Funds Requested (\$)
	Post Doctoral Associates						
	Graduate Students						
	Undergraduate Students						
2	Secretarial/Clerical				550.00	0.00	550.00
2	Total Number Other Personnel						550.00
Total Salary, Wages and Fringe Benefits (A+B)							1,750.00

Close Form

RESEARCH & RELATED BUDGET - SECTION C, D, & E, BUDGET PERIOD 1

* ORGANIZATIONAL DUNS: 0765768260000

* Budget Type: Project Subaward/Consortium

Enter name of Organization: City of Newton

* Start Date: 09/01/2012 * End Date: 08/31/2013 Budget Period 1

C. Equipment Description

List items and dollar amount for each item exceeding \$5,000

	Equipment item	* Funds Requested (\$)
1.	Field equipment and dedicated computer for Standards Coordinat	2,000.00
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.	Total funds requested for all equipment listed in the attached file	
	Total Equipment	2,000.00

Additional Equipment:

D. Travel

	Funds Requested (\$)
1. Domestic Travel Costs (Incl. Canada, Mexico and U.S. Possessions)	
2. Foreign Travel Costs	
Total Travel Cost	

E. Participant/Trainee Support Costs

	Funds Requested (\$)
1. Tuition/Fees/Health Insurance	
2. Stipends	
3. Travel	
4. Subsistence	
5. Other <input type="text"/>	
<input type="text"/> Number of Participants/Trainees	
Total Participant/Trainee Support Costs	

RESEARCH & RELATED Budget {C-E} (Funds Requested)

Close Form

RESEARCH & RELATED BUDGET - SECTION F-K, BUDGET PERIOD 1

* ORGANIZATIONAL DUNS: 0765768260000

* Budget Type: [X] Project [] Subaward/Consortium

Enter name of Organization: City of Newton

* Start Date: 09/01/2012 * End Date: 08/31/2013 Budget Period 1

F. Other Direct Costs	Funds Requested (\$)
1. Materials and Supplies	500.00
2. Publication Costs	
3. Consultant Services	
4. ADP/Computer Services	30,000.00
5. Subawards/Consortium/Contractual Costs	
6. Equipment or Facility Rental/User Fees	
7. Alterations and Renovations	
8. Standards Coordinator	35,000.00
9. Advertising for Standards Coordinator position and program	250.00
10. Materials for outreach program	500.00
Total Other Direct Costs	66,250.00

G. Direct Costs	Funds Requested (\$)
Total Direct Costs (A thru F)	70,000.00

H. Indirect Costs	Indirect Cost Type	Indirect Cost Rate (%)	Indirect Cost Base (\$)	* Funds Requested (\$)
1.				
2.				
3.				
4.				
Total Indirect Costs				

Cognizant Federal Agency (Agency Name, POC Name, and POC Phone Number)

I. Total Direct and Indirect Costs	Funds Requested (\$)
Total Direct and Indirect Institutional Costs (G + H)	70,000.00

J. Fee	Funds Requested (\$)

K. * Budget Justification Budget Justification.pdf (Only attach one file.) Add Attachment Delete Attachment View Attachment

RESEARCH & RELATED BUDGET - Cumulative Budget

		Totals (\$)
Section A, Senior/Key Person		39,600.00
Section B, Other Personnel		4,550.00
Total Number Other Personnel	10	
Total Salary, Wages and Fringe Benefits (A+B)		44,150.00
Section C, Equipment		10,000.00
Section D, Travel		
1. Domestic		
2. Foreign		
Section E, Participant/Trainee Support Costs		
1. Tuition/Fees/Health Insurance		
2. Stipends		
3. Travel		
4. Subsistence		
5. Other		
6. Number of Participants/Trainees		
Section F, Other Direct Costs		295,850.00
1. Materials and Supplies	14,500.00	
2. Publication Costs		
3. Consultant Services		
4. ADP/Computer Services	80,000.00	
5. Subawards/Consortium/Contractual Costs		
6. Equipment or Facility Rental/User Fees		
7. Alterations and Renovations		
8. Other 1	175,000.00	
9. Other 2	14,250.00	
10. Other 3	12,100.00	
Section G, Direct Costs (A thru F)		350,000.00
Section H, Indirect Costs		
Section I, Total Direct and Indirect Costs (G + H)		350,000.00
Section J, Fee		



COOPERATIVE AGREEMENTS
Department of Health and Human Services
Food and Drug Administration

Notice of Grant Award

Issue Date: 09/10/2012



Grant Number: 1U18FD004664-01

Principal Investigator(s):
Dori Záleznik, MD

Project Title: City of Newton Prototype Program for Complying with Nine FDA Program Standards

Záleznik, Dori, MD
Commissioner of Health and Human Services
1294 Centre St
Newton, MA 024591544

Budget Period: 09/10/2012 – 06/30/2013
Project Period: 09/10/2012 – 06/30/2017

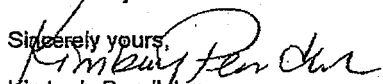
Dear Business Official:

The Food and Drug Administration hereby awards a grant in the amount of \$70,000 (see "Award Calculation" in Section I and "Terms and Conditions" in Section III) to CITY OF NEWTON in support of the above referenced project. This award is pursuant to the authority of PHS Act, Sec 1706, 42 USC 300u-5, as amended; Sec 2(d), PL 98-551 and is subject to the requirements of this statute and regulation and of other referenced, incorporated or attached terms and conditions.

Acceptance of this award including the "Terms and Conditions" is acknowledged by the grantee when funds are drawn down or otherwise obtained from the grant payment system.

If you have any questions about this award, please contact the Grants Management Specialist and the Project Officer listed in the terms and conditions.

Sincerely yours,


Kimberly Pendleton
Grants Management Officer
Office of Acquisitions & Grants Services
Division of Acquisition Support and Grants
Grants & Assistance Team

FOOD AND DRUG ADMINISTRATION

See additional information below

Division of Federal Assistance Financing
DASP/DASF/OS/DHHS
P.O. Box 6021
Rockville, MD 20852
Telephone Number: 877-614-5533

Grantees are asked to register in the Central Contractor Registration (CCR) database. Information about CCR is available at http://www.grants.gov/applicants/register_ccr.jsp. This registration will be required as electronic grant processing is implemented.

SECTION III – TERMS AND CONDITIONS – 1U18FD004664-01

This award is based on the application submitted to, and as approved by, FDA on the above-title project and is subject to the terms and conditions incorporated either directly or by reference in the following:

- a. The grant program legislation and program regulation cited in this Notice of Grant Award.
- b. The restrictions on the expenditure of federal funds in appropriations acts to the extent those restrictions are pertinent to the award.
- c. 45 CFR Part 74 or 45 CFR Part 92 as applicable.
- d. The PHS Grants Policy Statement, including addenda in effect as of the beginning date of the budget period.
- e. An annual Financial Status Report (SF-269) is required. An original and two copies of this report must be submitted to the FDA Grants Management Officer within 90 days after the expiration date of the budget period.
- f. A Final Program Report, Financial Status Report and Invention Statement must be submitted within 90 days after the expiration date of the project period.
- g. This award notice, including the terms and conditions cited below.

Treatment of Program Income:
Additional Costs

SECTION IV – FD Special Terms and Condition – 1U18FD004664-01

Voluntary Retail Standards Conditions of the Award - 1U18FD004664-01

This grant has been selected under the FDA- grants management plan to redistribute grant workloads more evenly throughout the year. Consequently, the initial budget period reflects a 06/30/2013 end date. Subsequent budget periods will begin on 07/01/2012 and will be for a 12-month duration. Although this grant will have a slightly shorter budget period this year, it is awarded the full 12-month level of funds for the budget period. Additional time may be requested at the end of the project period if needed.

Special conditions:

Provide a detailed response to all weaknesses identified in the Summary Statement no later than 6-months from the date of award.

Provide funding certification of the current year's budget for the retail foods regulatory program to demonstrate that these funds have supplemented, and not replaced, State allocations. If a decrease in allocations does occur during the cooperative agreement, a detailed justification must be provided to FDA for approval.

Facilities, work, training, and other expenses reimbursed under other funding mechanisms must remain distinct and separate from the cooperative agreement.

Agree to share strategies, documents, and other resources developed using cooperative agreement funds with other programs to advance conformance with the Retail Standards and reduce the occurrence of contributing risk factors associated with foodborne illness. Grantees may be asked to provide summaries of projects that may be publicly shared.

Contribute to the continuous improvement and advancement of the Retail Standards. Contributions may include participation in committee meetings, presentations, promotion of new strategies, and sharing of resources.

Future funding will be dependent on recommendations from the Project Officer. The scope of the recommendation will confirm that acceptable progress has been made in advancing conformance with the Retail Standards, continued compliance with all FDA regulatory requirements, and, if necessary, a corrective action plan has been implemented.

Funding restrictions:

These awards may only be used for advancing conformance with the Retail Standards and other projects that support the intended outcomes of the cooperative agreement program.

Allowable costs include:

- 1) Audiovisual materials such as videotapes, DVDs, public service announcements, etc.
- 2) Consultant services
- 3) Employee salaries, wages and fringe benefits
- 4) Rental, purchasing, calibration, and maintenance of supplies and equipment
- 5) Indirect costs
- 6) Recruitment costs for hiring new employees
- 7) Registration fees
- 8) Purchase or development of IT equipment, software, and support
- 9) Shipping and mailing of equipment and supplies
- 10) Travel
- 11) Speaker fees
- 12) Subcontracting to third parties (other than local/county/tribal agencies) is allowed but limited to 10% of each year's award.

Non-allowable costs:

- 1) Facilities, work, and training reimbursed under other funding mechanisms must remain distinct and separate from the cooperative agreement. The State must be able to account separately for fund expenditures, including employee salaries, wages, and benefits, under the food safety inspection contracts and other funding mechanisms and these cooperative agreements.
- 2) Vehicle purchases are not permitted.
- 3) Cooperative agreement funds may not be utilized for new building construction; however, remodeling of existing facilities is allowed, provided that remodeling costs do not exceed 10% of the grant award amount.
- 4) Please also refer to the HHS Grants Policy Statement for additional information regarding costs.

Reporting requirements:

When multiple years are involved, awardees will be required to submit the Non-Competing Continuation Grant Progress Report (PHS 2590) annually and financial statements as required in the HHS Grants Policy Statement.

A final progress report, invention statement, and the expenditure data portion of the Federal Financial Report are required for closeout of an award, as described in the HHS Grants Policy Statement.

The Federal Funding Accountability and Transparency Act of 2006 (Transparency Act), includes a requirement for awardees of Federal grants to report information about first-tier subawards and executive compensation under Federal assistance awards issued in FY2011 or later. All awardees of applicable HHS grants and cooperative agreements are required to report to the Federal Subaward Reporting System (FSRS) available at www.fsrs.gov on all subawards over \$25,000. See the HHS Grants Policy Statement for additional information on this reporting requirement.

SECTION I - AWARD DATA - 1U18FD004664-01

Award Calculation (U.S. Dollars)

Salaries and Wages \$1,750
 Personnel Costs (Subtotal) \$1,750
 Equipment \$2,000
 Supplies \$500
 Other Costs \$30,750
 Consortium/Contractual Cost \$35,000

Federal Direct Costs \$70,000
 Approved Budget \$70,000
 Federal Share \$70,000
TOTAL FEDERAL AWARD AMOUNT \$70,000

AMOUNT OF THIS ACTION (FEDERAL SHARE) \$70,000

SUMMARY TOTALS FOR ALL YEARS			
YR	THIS AWARD	CUMULATIVE TOTALS	
1	70,000	70,000	70,000
2	70,000	70,000	70,000
3	70,000	70,000	70,000
4	70,000	70,000	70,000
5	70,000	70,000	70,000

* Recommended future year total cost support, subject to the availability of funds and satisfactory progress of the project.

Fiscal Information:

CFDA Number: 93.103
 EIN: 1046001404A4
 Document Number: UFD004664A
 Fiscal Year: 2012

IC	CAN	01	02	03	04	05
FD	6990928	\$70,000	\$70,000	\$70,000	\$70,000	\$70,000

* Recommended future year total cost support, subject to the availability of funds and satisfactory progress of the project.

FDA Administrative Data:

PCC: / OC: 4141 / Processed: ERAAPPS 09/06/2012

SECTION II - PAYMENT/HOTLINE INFORMATION - 1U18FD004664-01

PHS policy requires that you be informed that the DHHS Inspector General maintains a toll free telephone number (800-368-5779) for receiving information concerning fraud, waste and abuse under the grants and cooperative agreements. Such reports will be kept confidential and callers may decline to give their names if they choose to remain anonymous.

Payments under this award will be made available through the DHHS Payment Management System (PMS). PMS is administered by the Division of Federal Assistance Financing (DFAF), Office of the Deputy Assistant Secretary, Finance, which will forward instructions for obtaining payments. Inquiries regarding the payment should be directed to:

CITY OF NEWTON

IN BOARD OF ALDERMEN

2012

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chairman Leonard J. Gentile, His Honor the Mayor is hereby authorized to expend the amount of seventy thousand dollars (\$70,000), which represents the first year of a five-year, \$350,000 reimbursable grant awarded by the United States Food and Drug Administration to be used for the purpose of strengthening, standardizing, and documenting food safety inspection and community outreach activities of the Health and Human Services Department.

Under Suspension of Rules
Readings Waived and Approved

(SGD) DAVID A. OLSON
City Clerk

(SGD) SETTI D. WARREN
Mayor

Date: _____

CITY OF NEWTON
IN BOARD OF ALDERMEN

2012

ORDERED:

That in accordance with the recommendation of the Finance Committee through its Chairman Leonard J. Gentile, the Commission on Disabilities is hereby authorized to accept and expend up to fifty thousand dollars (\$50,000) of monetary gifts and donations to be held in a Receipts Reserved for Appropriations for Disabled Accounts to be used to further the ideals of the Commission on Disabilities.

Under Suspension of Rules
Readings Waived and Approved

(SGD) DAVID A. OLSON
City Clerk

(SGD) SETTI D. WARREN
Mayor

Date _____

CITY OF NEWTON
IN BOARD OF ALDERMEN

2012

ORDERED:

That for the purpose of funding the completion of design services through the construction administration phase associated with the renovation of the Carr Elementary School and all other costs associated therewith, there be and hereby is appropriated and authorized to be borrowed under and pursuant to Chapter 44 Section 7(21) of the General Laws, as amended and supplemented, or pursuant to any other enabling authority, the sum of six hundred ninety-five thousand five hundred fifty-eight dollars (\$695,558).

Under Suspension of Rules
Readings Waived and Approved

(SGD) DAVID A. OLSON
City Clerk

(SGD) SETTID. WARREN
Mayor

Date _____

CITY OF NEWTON

IN BOARD OF ALDERMEN

2012

ORDERED:

That, in accordance with the recommendation of the Public Facilities Committee through its Chairman Anthony J. Salvucci and the Finance Committee through its Chairman Leonard J. Gentile, the creation of a revolving fund into which 50% of all betterment income shall be deposited to be used exclusively for the individual requests for betterment is hereby authorized.

Under Suspension of Rules
Readings Waived and Approved

(SGD) DAVID A. OLSON
City Clerk

(SGD) SETTI D. WARREN
Mayor

Date: _____