

City of Newton



## PUBLIC BUILDINGS DEPARTMENT

Stephanie Kane Gilman, Commissioner

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52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

Setti D. Warren

Mayor

March 15, 2012

Ms. Kathryn DeCristofaro  
Senior Field Coordinator  
Massachusetts School Building Authority  
40 Broad Street  
Suite 500  
Boston, Massachusetts 02109

Subject: Angier Elementary School, MSBA Project No. 201202070005

RE: Eligibility Period Submittals

Dear Ms. DeCristofaro:

The City of Newton is pleased to submit the enclosed materials in support of its application for the Angier Elementary School Project:

Executed Design Enrollment Certification, dated 14 March 2012  
Exhibit A – Feasibility Study Budget  
Exhibit C – Feasibility Study Schedule

If you have any questions or require additional information please contact me directly.

Thank You

Alex M. Valcarce, AIA LEED AP BD+C  
Project Manager  
Newton Public Buildings Department  
617.796.1609  
avalcarce@newtonma.gov


CC: Stephanie Gilman, Commissioner of Public Buildings  
Robert Rooney, Chief Operating Officer  
Maureen Lemieux, Chief Financial Officer  
Dr. David Fleishman, School Superintendent  
Claire Sokoloff, School Committee Chair  
Sandy Guryan, Deputy Superintendent/Chief Administrative Officer

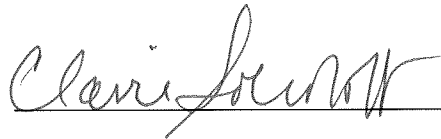
**MASSACHUSETTS SCHOOL BUILDING AUTHORITY**

**ANGIER ELEMENTARY SCHOOL  
DESIGN ENROLLMENT CERTIFICATION**

As a result of a collaborative analysis with the Massachusetts School Building Authority ("MSBA") of enrollment projections and space capacity needs for the Proposed Project at the Angier Elementary School, the City of Newton hereby acknowledges and agrees that the design of the Proposed Project at the Angier Elementary School shall be based on an enrollment of no more than 465 students. The City of Newton further acknowledges and agrees that, pursuant to 963 CMR 2.00 *et seq.*, the MSBA shall determine the square feet per student space allowance and total square footage for a K-5 school serving 465 students. The City of Newton acknowledges and agrees that it has no right or entitlement to any particular design enrollment, square feet per student space allowance, or total square footage and that it has no right or entitlement to a design enrollment any greater than 465 students for the Angier Elementary School, and further acknowledges and agrees that it shall not bring any claim or action, legal or equitable, against the MSBA, or any of its officers or employees, for the purpose of obtaining an increase in the design enrollment of the Angier Elementary School that it has acknowledged and agreed to herein. The City of Newton further acknowledges and agrees that, among other things, the design enrollment, square feet per student space allowance, and total square footage of the Angier Elementary School shall be subject to the approval of the MSBA's Board and that the final approval of a Proposed Project at the Angier Elementary School shall be within the sole discretion of the MSBA's Board.

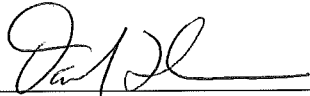
The undersigned, for themselves and the City of Newton, hereby certify that that they have read and understand the contents of this Design Enrollment Certification and that each of the above statements is true, complete and accurate. The undersigned also hereby certify that they have been duly authorized by the appropriate governmental body to execute this Certification on behalf of the City of Newton and to bind the City of Newton to its terms.

  
\_\_\_\_\_  
Mayor, City of Newton

  
\_\_\_\_\_  
Duly Authorized Representative of School Committee

3/14/12  
\_\_\_\_\_  
Date

3/14/12  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Superintendent of Schools  
3/14/12  
\_\_\_\_\_  
Date

**EXHIBIT A**

**FEASIBILITY STUDY BUDGET**

**City of Newton  
A.E. Angier Elementary School**

The total Budget for the Feasibility Study conducted pursuant to this Agreement, which is attached hereto and incorporated by reference herein, shall be no more than \$750,000 based upon the following estimates:

Owner's Project Manager:	\$ 125,000
Designer:	\$ 425,000
Environmental and Site Testing:	\$ 125,000
Other:	\$ 75,000

## EXHIBIT C

### FEASIBILITY STUDY SCHEDULE

#### City of Newton A.E. Angier Elementary School

The Feasibility Study Agreement, which is attached hereto and incorporated by reference herein, shall terminate 610 days after the date of its execution by the Parties and/or upon Massachusetts School Building Authority (the "MSBA") Board approval of a Project Scope and Budget Agreement and execution thereof by the Parties, whichever is sooner.

The estimated dates of completion for certain tasks related to the Scope of this Agreement are set forth below. These projected dates are estimates only and are subject to change with the approval of the MSBA. Any changes to the completion dates of individual tasks does not necessarily impact the overall term of the agreement as defined above and in Section 2.2 of the Feasibility Study Agreement.

Project MSBA Board Approval to Move to Feasibility Study:

March 28, 2012

Projected MSBA Board Approval to Move to Schematic Design:

March, 2013

Completion of Feasibility Study including Schematic Design/Final Program:

October, 2013

Project Scope and Budget Conference/Execution of Project Scope and Budget Agreement:

October, 2013

Projected MSBA Board Approval:

November, 2013

Projected Town Vote for Project Scope and Budget Agreement:

November 18, 2013