



LINCOLN PUBLIC SCHOOLS

BUCKNER M. CREEL
ADMINISTRATOR FOR BUSINESS AND FINANCE

May 4, 2010

To: School Committee
Mickey Brandmeyer, Superintendent
From: Buckner Creel

Subject: Recommendation for Award – Hartwell Space Lease September 2011 – August 2016

Background. In June 2000, the School Committee entered into a ten-year lease with Magic Garden for classroom, administrative and playground space in and around the Hartwell Building, to be used for nursery school and related uses. The 2000 lease ends on August 31, 2010. The Administration proposed that the School Committee extend Magic Garden's occupancy by one year, through August 31, 2011. The School Committee agreed, Magic Garden accepted the terms and a one-year extension is in place.

On April 4, 2008, the Magic Garden Executive Board was given notice of non-renewal of the current lease and of the School Committee's intent to re-compete on a timely basis. The current annual lease payment is \$19,169, so the rental value of the property over the five-year period will exceed \$25,000 requiring a formal RFP process to comply with M.G.L. c. 30B § 16.

Process. In accordance with the procedures outlined in M.G.L. 30B and in the memo prepared for the School Committee dated February 25, 2010, proposals for the lease of space in the Hartwell Building were solicited using the following process:

- At its meeting on February 25, 2010, the School Committee declared space in the Hartwell Building surplus and identified use restrictions by approving the following motion:
"Moved... that the School Committee **VOTES** that the space in the Hartwell Building currently occupied by Magic Garden continues to be surplus space and available for lease, that it desires the surplus space be used for programs with an educational purpose harmonious with the proper functioning of the adjacent Lincoln Preschool, and directs the Administration to solicit proposals for lease of the space in compliance with Massachusetts General Law."
- Legal notices were published in the Lincoln Journal on March 11 and March 18, 2010.
- Announcements in the *Central Register* on the State Publications and Regulations web site were published announcing the availability of Request for Proposal (RFP) documents on March 11, 2010.
- RFP packets were mailed to 106 potential proposers.
- Three potential proposers attended the pre-proposal conference held March 19, 2010 at 11:30am. The pre-proposal conference was not mandatory.
- Two addenda were added to the bid packet after the pre-proposal conference: Addendum #1 dated March 26, 2010 answered questions from the pre-proposal conference. Addendum #2 dated April 6, 2010 answered a question submitted by a potential proposer.
- One proposal, from Magic Garden, Inc., was received on April 12, 2010.

Proposal Review process. The request for proposal (RFP) contains a two-step proposal evaluation process. The details of the process are outlined in the RFP specifications, and include evaluations by a Preliminary Evaluation Committee and a Final Selection Committee, each of which has different responsibilities.

Preliminary Evaluation Committee. The Preliminary Evaluation Committee (PEC) reviews all proposals, determine responsiveness and responsibility of the proposals and prepare a preliminary ranking for the Final Selection Committee. The Preliminary Evaluation Committee (PEC) reviewed the proposal from the present occupant of the space, Magic Garden, Inc.; conducted reference checks; and reviewed supplemental financial information provided by Magic Garden at the request of the PEC. The three members scored the proposal and gave the proposal a composite score of 89.3 out of a possible 100. The detailed scores are:

Attribute	Score
d. Compatibility (20%)	8.2
e. Description of program to be offered (20%)	9.3
f. How program benefits the Town (30%)	9.3
g. Business stability (15%)	9.0
h. Governance structure. (5%)	8.7
i. Proposed program fee structure (10%)	8.5

The PEC found the Magic Garden proposal to be responsible and responsive, and agreed to pass the proposal to the Final Selection Committee (FSC).

Final Selection Committee Task. Philosophically, the role of the Final Selection Committee (FSC) is to help ensure that the School Committee enters into an agreement for the use of school space that benefits the Town. The RFP states “The Final Selection Committee will review all proposals passed to them from the Preliminary Evaluation Committee, rank them using a different set of comparative criteria and make a recommendation for award to the Lincoln School Committee...” The fact that there is only one proposal means that the first part of the FSC task was simplified, as no ranking of competing alternatives was required. However, the second part of the task remains critical, so the members of the FSC reviewed the proposal using the ranking criteria and assessed the value of the proposal. All five members of the FSC recommend acceptance of the proposal to the School Committee.

Price Analysis. The rule for award included in the RFP documents states:

“The Lincoln Public Schools will accept the most advantageous offer from a responsive and responsible proposer, taking into consideration all evaluation criteria and price.”

The PEC found the proposal to be responsive; among other criteria, the proposal met the minimum terms of the RFP, proposing an initial lease payment of \$10,000 and the first year’s maintenance allowance of \$5,000. These amounts will be escalated in each of the subsequent years. Through its reference checking and financial status review, the PEC also found the proposer responsible. The FSC found that the proposal, including the price, provides value to the Town, hence it is reasonable.

Recommendation. The sole proposer, Magic Garden, Inc., is a responsive, responsible proposer who has offered a reasonable price. Accordingly, the Final Selection Committee recommends that the School Committee accept the Magic Garden, Inc. proposal and enter into an agreement with them for their use of the Hartwell space as a preschool for the five-year period beginning September 1, 2011 and ending August 31, 2016, contingent upon successful negotiation of the lease.