



Massachusetts Port Authority
One Harborside Drive, Suite 200S
East Boston, MA 02128-2090
Telephone (617) 568-5950
www.massport.com

May 6, 2024

Ms. Simone Early
Executive Director
Designer Selection Board
McCormack State Office Building
One Ashburton Place
10th Floor
Boston, MA 02108

Dear Ms. Early:

Please be advised that Massport, in accordance with the provisions of M.G.L. Chapter 7C, Provision 46, respectfully submits its application for renewal of its exemption from the jurisdiction of the Designer Selection Board. The current exemption expires in June of this year; therefore, we have attached a copy of Massport's previously approved Designer Selection Panel (DSP) Procedures which provide a detailed description of Massport's designer selection process that are consistent with Massport's prior requests for an exemption. No changes have been made since your last approval in 2022.

In addition, the most recent list of DSP members has also been attached for your information, as well as our most up to date semi-annual report.

If you have any questions or need any additional information, please feel free to contact me at 617-568-3501. Thank you for your consideration of this very important matter.

Sincerely,

MASSACHUSETT PORT AUTHORITY

A handwritten signature in black ink, appearing to read "Luciana Burdi".

Luciana Burdi, Int'l Assoc. AIA, CCM, MCPPO, NAC
Director of Capital Programs & Environmental Affairs
Chairwoman, Designer Selection Panel

cc: Patricia DeAngelis, Esq.

Enclosure



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One Ashburton Place, 10th Floor
Boston, MA 02108

To Whom It May Concern:

In accordance with the provisions of MGL Chapter 7C, Section 46 (d) (iii), the Massachusetts Port Authority (Massport) is required to submit its report of executed contracts for design services for building projects for the period 1/01/2024 to 6/30/2024. During the above-mentioned period the following contracts were executed for design services for building projects.

MPA PROJECT #	TITLE	CONTRACT FEE	SELECTION DATE
L1781	Logan HVAC Replacement Program (House Doctor)	\$2,000,000	1/31/2024
PRIME	PRIME D/M/WBE	SUBS D/M/WBE	CLASSIFICATION
Arora Engineers	MBE	Keville Enterprises, Inc. Samiotes Consultants Inc. Simon Design Engineers, LLC Fennick McCredie Architecture	D/WBE WBE WBE
Fitzmeyer & Tocci Assoc. Inc.		CGKV Architects Inc. Gale Associates Inc. Jigsaw Life Safety, Inc. Ellana, Inc. Leading Edge Design Group	MBE D/WBE MBE
IMEG		CSS Architects Inc. Lin Associates Keville Enterprises, Inc. Jensen Hughes Inc. Ellana Inc. Navilean LLC	WBE MBE D/WBE WBE M/WBE

Operating

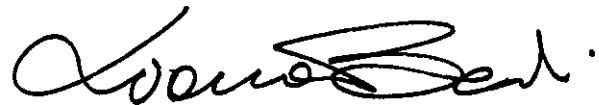
Boston Logan International Airport • Port of Boston general cargo and passenger terminals • Hanscom Field • Boston Fish Pier • Commonwealth Pier (site of World Trade Center Boston) • Worcester Regional Airport

MPA PROJECT #	TITLE	CONTRACT FEE	SELECTION DATE
L1833	Cargo Throughput Facility	\$	4/22/2024
PRIME	PRIME D/M/WBE	SUBS D/M/WBE	CLASSIFICATION
Solomon Cordwell Buenz		Green International Thornton Tomasetti Caminiti Consulting Arora Engineers Ghafari Code Red Consulting Dharam Consulting GEI Kalin Associates VDA	MBE D/MBE MBE D/WBE

Please feel free to call me at my office at 617-568-3501 if you have any questions or need any additional information.

Sincerely,

MASSACHUSETTS PORT AUTHORITY



Luciana Burdi, Int'l Assoc. AIA, CCM, MCPPO, NAC
Director of Capital Programs and Environmental Affairs

cc: Patricia DeAngelis, Esq.

Updated January 2024

MASSPORT'S DESIGNER SELECTION PANEL

Massport's DSP is an eleven (11) member panel consisting of 5 Massport voting members & 6 external members. Each member is eligible to serve a maximum of 2 consecutive two-year terms.

Massport's DSP procedures include the following requirements related to members

Massport members:

Director of Capital Programs and Environmental Affairs (or designee) - nonvoting unless there is a need for a tiebreaker

Deputy Director, of Capital Programs and Environmental Affairs (or designee)

Capital Programs Personnel

Director of Diversity & Inclusion and Compliance

Project Manager – Project Specific

Facility Representative – Project Specific

External Members:

4 members from A/E professional societies including academia

1 member from construction industry

1 member from the public sector

The attached sheets list the names of actual persons currently serving on Massport's DSP.

Massport Panel Members

Dr. Luciana Burdi, Intl. Assoc. AIA, CCM, MCCPO

Director of Capital Programs & Env Affairs
Massport Capital Programs Department
Logan Office Center
One Harborside Drive
East Boston, MA 02128
617-568-3501

Ms. Nhuy Hoang

Deputy Director of Capital Programs & Env Affairs
Massport Capital Programs Department
Logan Office Center
One Harborside Drive
East Boston, MA 02128
617-568-5976

Appointment Effective – 1/21

Mr. Simone Brogini

Senior Project Manager, Vertical Projects
Massport Capital Programs Department
Logan Office Center
One Harborside Drive
East Boston, MA 02128
617-568-7458

Appointment Effective – 10/22

Ms. Stefanie Smith

Senior Program Administrator
Massport Compliance Department
Logan Office Center
One Harborside Drive
East Boston, MA 02128
617-568-3195

Appointment Effective – 2/24

Project Manager – Capital Programs

Project Specific

Facilities Representative

Project Specific

A&F Representative - (Non-Voter)

Project Specific

JANUARY 2024

MASSPORT DESIGNER SELECTION PANEL

External Panel Members

Mr. David Goodemote (A/E)
20 Wilson Street
Reading, MA 01867
857-523-8924 – cell
dtgoodemote@gmail.com

Appointment Effective – 10/22
Eligible for Reappointment – 10/24
Term Expires – 10/26

Mr. Nick Landry (A/E)
Design Resource Team
546 East Broadway
Boston, MA 02127
617-804-6117
nlandry@drt.boston

Appointment Effective – 3/24
Eligible for Reappointment – 3/26
Term Expires – 3/28

Ms. Kristin Russell (A/E)
Department of the US Air Force
169 Crescent Road
Longmeadow, MA 01106
516-859-1503
kristin.russell724@gmail.com

Appointment Effective – 3/24
Eligible for Reappointment – 3/26 Pearl
Term Expires – 3/28

(Public Sector)

Appointment Effective –
Eligible for Reappointment –
Term Expires –

Ms. Alexandra Patterson (Construction)
Commodore Builders
404 Wyman Street
Suite 400
Waltham, MA 02451
617-614-3500/315-243-8581 - cell
apatterson@commodorebuilders.com

Appointment Effective – 3/24
Eligible for Reappointment – 3/26
Term Expires – 3/28

Ms. Zorica Pantie (Academia)
9 Bennington Street
Newton, MA 02458
210-722-9699 - cell
Zorica.pantie@yahoo.com

Appointment Effective – 8/21
Eligible for Reappointment – 8/23
Term Expires – 8/25

MASSPORT DESIGNER SELECTION PROCEDURES

June 2024

The following designer selection procedure has been adopted by the Massachusetts Port Authority ("Massport") pursuant to M.G.L. Ch. 7C, provisions 44 through 53, inclusive, and provision 55, to ensure that Massport receives the highest quality design services for its building projects, and to serve as a basis for Massport's exemption under provision 46 from the jurisdiction of the State Designer Selection Board in the procurement of design services.

The procedure is as follows:

1. The Designer Selection Panel. All building design services contracts covered by this procedure are awarded pursuant to an applicant evaluation and ranking conducted by the Massport Designer Selection Panel (the "Panel"). The Panel is made up of the following Massport employees or their designees: the Director of Capital Programs and Environmental Affairs; the Deputy Director of Capital Programs and Environmental Affairs; the Director of Diversity & Inclusion and Compliance; the Chief Information Officer or designee, depending on the type or location of the project under consideration; the Capital Programs' Project Manager for the project under consideration; one Capital Programs personnel and an authorized representative of the Massport facility for which the design services shall be conducted. Independent members of the Panel shall consist of:

- four (4) members who are Massachusetts registered architects and/or engineers, Architect Emeritus, Certified Planners by the American Institute of Certified Planners (www.planning.org/aicp/), or from Academia (limited to 1), recommended by the Massachusetts Society of Professional Engineers, the American Consulting Engineers Conference, the Boston Society of Civil Engineers, the Army Corp of Engineers, the American Institute of Certified Planners, the Society of Military Engineers or the Boston Society of Architects, and
- one (1) member who is a representative of the construction industry recommended by the Construction Industries of Massachusetts or the Associated General Contractors, and
- one (1) member who is a representative of the public sector who shall be chosen from the general public or neighborhood groups and selected by a majority of the independent members of the Panel.

Members proposed by these societies or associations shall be approved by Massport's CEO and Executive Director, which approval shall not be unreasonably withheld. The State Designer Selection Board shall be advised of the identities of the six independent members. The Director of Capital Programs and Environmental Affairs shall be the Chairperson of the Designer Selection Panel, and, in his absence, the Deputy Director of Capital Programs and Environmental Affairs shall be the Chairperson.

Each Panel member shall be appointed for a two-year term and shall continue to serve until a successor is appointed. No Panel member may serve more than two consecutive terms. A former member may be reappointed after a two-year hiatus.

2. The Designer Selection Procedure. The Panel shall comply with the following:

A. Review and adopt written criteria for evaluation of applicants (including probable subconsultants, if any) for a particular design services contract. These criteria, equally weighted, may include, depending on the project, the following:

1. Demonstrated experience and knowledge of the team for similar projects of similar size and complexity particularly important to demonstrate for the proposed Project Manager. Highlight the experience and expertise for major sub-consultants and their assigned staff. Geographical location and proposed % allocation to this project should be mentioned as well. Familiarity with MGL, including filed sub-bid experience, and
2. Project understanding and proposed technical approach including QA/QC process during document preparation, cost management and scheduling capabilities, construction oversight, ability to plan and perform work with minimal disruption to operations, and
3. Demonstrated experience in integrating and managing BIM/VDC in the planning, design and construction. Experience of utilizing Lean Design & Construction (Last Planner System®, Scrum or other tools) to increase the reliability and significantly improve projects and teams' performance, and
4. Demonstrated project experience in sustainable and resilient high-performance building and infrastructure design and construction, including experience with low, net zero ready or net zero emissions, water, and waste, lifecycle analysis including embodied carbon, innovative renewable energy strategies, and building and infrastructure sustainability certification schemes relevant to this proposal. Firms are encouraged to demonstrate "outside of the box" thinking for examples of inclusion of sustainable practices into its projects and specify how those practices may be applied to this project proposal. Firms must demonstrate the capability to incorporate design features into any project type that reflect best practices in environmental stewardship, and
5. Proposed approach to enhance diversity and inclusion of the proposed team to increase the pool of consultants working on the Authority's projects. For those [***INSERT "M/WBE" (OR "DBE" IF FEDERAL GRANT INVOLVED)***] firms proposed, please describe type and/or category of work (i.e. architecture, structural, Lean, etc.); include the specific roles to be played by [***INSERT "M/WBE" (OR "DBE" IF FEDERAL GRANT INVOLVED)***], and the extent to which such [***INSERT "M/WBE" (OR "DBE" IF FEDERAL GRANT INVOLVED)***] involvement is anticipated as of date of the proposal submission, (% goal)

The Panel shall adopt a tentative selection timetable, including a firm date for designers to file qualification applications.

B. At least two weeks before the date for filing qualification applications, Massport shall advertise the design services contract opportunity in at least one newspaper of general circulation in the Boston area, and at Massport's discretion, suitable professional or

trade publications.

Massport shall prepare and file for publication in the Central Register information related to contract opportunities for design services as required under 950 CMR 21.00. Advertisements shall include a description of the project for which designer qualification applications are sought, the specific designer services to be obtained, a preliminary construction cost estimate for each project, an estimated project timetable, and whether the fee has been set or shall be negotiated. A summary of the criteria adopted by the Panel on which the selection shall be based, and information on the availability of the full selection criteria and any special forms or instructions required in the application process may also be included. At its discretion, Massport may hold an informational meeting which shall be announced in the advertisement.

- C. Applicants shall be required to file a designer qualification application with Massport. Unless otherwise announced in the advertisement, a designer qualification is made by submitting to Massport fully completed and current SF 330 Part I and Part II (Part II for the Prime and each Sub-consultants).
- D. Designer qualification applications (proposals) are evaluated by the full Panel, and at least three or more applicants who meet all the general evaluation criteria for the project shall be selected as semi-finalists (shortlisted applicants) and proceed for final evaluation.
- E. The proposals are evaluated by the Panel with the benefit of comments supplied, where appropriate, by Massport staff. The Panel shall consult the Director of Diversity and Inclusion/Compliance or designee as to whether and to what degree proposals meet Massport's requirements for affirmative action. The Panel always reserves the right, at its discretion, to require semi-finalists (shortlisted applicants) to make in-person presentations to the Panel, or to supply additional information to the Panel, so long as such opportunity is afforded equally to all semi-finalists. From among the semi-finalists, at least three finalists shall be selected by the Panel and ranked in order of qualification. The final vote of the Panel on the ranking of finalists and a statement explaining the Panel's reasons for its choice shall be included in the Panel's written record. No finalists may be selected without at least two votes from Massport Panel members and at least two votes from Independent Panel members. The Chairperson of the Panel, unless he/she is acting in a non-voting capacity, shall vote only in the event of a tie. The Panel always reserves its right to recommend that none of the semi-finalists (shortlisted applicants) be selected, if such a recommendation appears to be in the best interest of Massport.

3. The Award of the Contract. The award of Massport contracts for building designer services is vested in the Massport Board, although the award of contracts under \$2,000,000 has been delegated to the CEO and Executive Director under a standing delegation from the Board. Awards are made after the Director of Capital Programs and Environmental Affairs as Chairperson, has transmitted the Panel's evaluation and ranking of finalists. The Massport Board or the CEO and Executive Director, as the case may be, generally makes an award only after a selection process which includes a successful fee negotiation by the Director of Capital Programs and Environmental

Affairs or his or her designee with the top-ranked finalist in a particular selection. If a satisfactory fee cannot be negotiated with the top-ranked finalist, fee negotiations shall be undertaken with the next highest ranked finalist, and the Massport Board and the CEO and Executive Director should be notified accordingly. When the fee for design services has been set prior to the selection process, the Massport Board or the CEO and Executive Director, depending on the amount of the fee, shall appoint a designer from the list of finalists chosen by the Panel. If the Massport Board or the CEO and Executive Director appoints any designer other than the one ranked first by the Panel, a written justification of the appointment shall be filed with the Panel and entered into the Panel's minutes. Prior to making the award of the contract, the successful applicant may be required to submit all certifications and other information (such as the statement of management on accounting controls required by M.G.L. Ch. 30, Sec. 39R) as necessary to demonstrate that it shall be able to execute the contract documents. Contract documents are prepared for execution as promptly as possible after the award. Successful applicants shall be notified of the time and place of contract execution.

4. Massport Standard Form Design Services Contract Provisions. Massport's contracts with architects, engineers and other design services and construction management professionals are entered into on the basis of a standard form of agreement covering project scope, phases of the work, terms of performance and payment, insurance, indemnification and other customary matters. Standard contract forms are available from the Capital Programs Department. Successful applicants are expected to execute the standard contract documents and should become familiar with the standard terms at an early stage.

5. Extended or Continued Services. In situations where it is necessary or appropriate for Massport to engage building designers for extended or continued service, Massport requires that a written statement be filed with and approved by the Panel explaining the reasons for such extension or continuation.

6. Emergency Situations. An emergency situation shall exist whenever the health or safety of any person(s) shall be endangered because of the time required for the selection of a designer, programmer or construction manager (hereinafter the "consultant" or the "consultants" as may be appropriate) in connection with any building project undertaken by Massport, or whenever a deadline for action is set on a building project by any court or federal agency which cannot be met by the process described above. Massport shall develop, update regularly and present to the Designer Selection Panel periodically for its review and approval based upon the criteria set forth below, a standing list of qualified consultants in various disciplines for the consideration and guidance of any party declaring an emergency. The following procedures shall apply, depending on the nature of the emergency situation:

A. Health or Safety Emergency Situation Requiring Immediate Action. When confronted with an emergency situation in which there exists an imminent danger to the health and safety of any persons and in which Massport requires immediate design services for which the procedures set forth in section 2, below, are impractical to implement, the following procedures may be followed:

(1) The Chairman of the Massport Board, the CEO and Executive Director or

the Director of Capital Programs and Environmental Affairs is authorized to declare that an imminent health or safety emergency exists.

- (2) Having declared the existence of an imminent health or safety emergency, the individual making such declaration shall (in consultation with the Director of Capital Programs and Environmental Affairs and other knowledgeable employee(s) of Massport) select from the Massport standing list of qualified consultants, or shall select the most appropriate consultant available, to take action to correct or abate the health or safety emergency based on the following criteria:
 - i. Skill and experience of the consultant in the relevant discipline;
 - ii. Consultant's prior experience in connection with the building project at which a health or safety emergency occurs;
 - iii. Consultant's record of performance generally on projects for Massport and other public agencies; and
 - iv. Recommendation, if any, of any other public agency, having jurisdiction with respect to the health or safety emergency situation, including without limitation, the Commonwealth of Massachusetts Department of Public Safety.
- (3) Notwithstanding the foregoing, in the event that a party authorized to declare a health or safety emergency situation is not available, and an imminent threat to the health and safety of any person(s) exists, the highest ranking available employee of the Capital Programs Department shall declare the existence of an immediate health or safety emergency situation and shall be authorized to take any and only such action consistent with these procedures as shall be necessary to preserve the health and safety of any such persons so threatened.
- (4) Any party declaring the existence of a health or safety emergency situation and making a consultant selection under these procedures shall immediately thereafter submit to the Designer Selection Panel a written memorandum setting forth a detailed description of the factual nature of the health or safety emergency situation, the consultant selected and the reasons for his or her choice of consultants.

B. Emergency Situation Requiring Expeditious Action. When confronted with an emergency situation that does not reach the level of urgency described in section 1, above, the following procedures may be followed:

- (1) The declaration of emergency shall be made by the Chairman of the Massport Board, the CEO and Executive Director or the Director of Capital Programs and Environmental Affairs, based upon one of the following criteria:

- a) Danger to health or safety of any persons because of the time required for selection of a designer by the regular statutory process; or
 - b) Deadline for action on a project set by a court or federal agency, which cannot be met if the regular statutory process is followed.
- (2) The Director of Capital Programs and Environmental Affairs shall file a memorandum with the Panel stating the reasons for the emergency declaration, listing proposed scope of work, estimated cost of construction, the established fee for design services, and any other relevant information.
- (3) Upon receipt of the memorandum from the Director of Capital Programs and Environmental Affairs, the Panel may elect to follow the expedited procedures set forth below:
- a) Studies, Programs and Design and Administration of Construction Projects.

If the scope of work involves a study or program, finalists may be selected from the existing standing list of consultants who have previously applied to the Panel for projects of this nature, as advertised in Public Notices, or from applicants who have filed a qualification statement with the Panel, without public advertising.

If the scope of the work involves design and administration of a construction project, finalists may be selected from the existing standing list of consultants who have previously applied to the Panel for projects as advertised in Public Notices, or from applicants who have filed a qualification statement with the Panel, without public advertising.

The Director of Capital Programs and Environmental Affairs, as Chairperson of the Panel, or, in his absence, the Deputy Director of Capital Programs and Environmental Affairs, upon receipt of the declaration that an emergency exists; shall select at least six semi-finalists as described below.

- b) Voting by Panel Members for Selection in an Emergency Situation.

The Director of Capital Programs and Environmental Affairs, as Chairperson of the Panel, shall compile the above information into a package for distribution and action by all the Panel members. Material shall be mailed if time permits. When possible, selection shall be made at the next scheduled meeting. When time or other circumstances do not permit, members may respond by mail.

In those cases in which the Chairperson or, in his absence, the Deputy

Director of Capital Programs and Environmental Affairs, determines that immediate action is required on the basis of an immediate threat to health or safety, that person shall nominate at least six semi-finalists for the specific project to be acted on. The Chairperson, or, in his absence, the Deputy Director of Capital Programs and Environmental Affairs, then will poll all available Panel members by phone and record their votes, tabulate the results and forward the names of the three or more finalists to the Director of Capital Programs and Environmental Affairs for his appointment in accordance with M.G.L. Ch. 7C, provisions 49 and 50.

In ranking the finalists, the Panel members each list the top three firms in order of preference, with "1" being the highest ranking firm. The firm obtaining the lowest cumulative total of points shall be ranked first, the next lowest total shall be ranked second and the third lowest total point count shall be ranked third. In the event of a tie, the Director of Capital Programs and Environmental Affairs, as Chairperson, or, in his absence, the Deputy Director of Capital Programs and Environmental Affairs, shall vote to break the tie.

Updated May 2024