ASSET MANAGEMENT BOARD

BOARD ACTION

January 21, 2025

regarding

Project Proposal by

The Massachusetts Trial Court

Acquisition of Springfield Regional Justice Center Facility Lease for Massachusetts Trial Court in Springfield, Massachusetts

WHEREAS, the members of the Asset Management Board (the "Board") have received and reviewed a Project Proposal from the Massachusetts Trial Court ("TRC") entitled, "Massachusetts Trial Court Acquisition of Springfield Regional Justice Center Facility Lease for Massachusetts Trial Court Springfield, Massachusetts" dated January 21, 2025 (the "Proposal");

WHEREAS, the Proposal seeks authorization to acquire a lease for a regional justice center, including general office space, court rooms, and detention areas serving key courthouse operational functions within the City of Springfield ("Lease Catchment Area") for a term of 40 years plus two 10-year option terms for TRC (the "Proposed Project");

WHEREAS, based on the Board's review of the facts and information included within the Proposal, the Board has made an assessment that the Proposed Project meets the standards for approval set forth in M.G.L. c. 7B and 810 CMR 2.02(1);

WHEREAS, TRC advertised a Notice of Intent to Submit a Proposal and Public Hearing with an invitation for public comment (the "Notice") in the Central Register once a week for two consecutive weeks and in the Springfield Republican once a week for two consecutive weeks pursuant to 810 CMR 2.05. The notice included:

1. A brief summary of the Proposed Project.
2. The location or office at which the draft Proposal would be available.
3. An invitation for public comment and the date, time and location of the public hearing.
4. The procedures and deadlines for submitting written comments.

Copies of the Notice were sent to members of the General Court representing the districts within the Lease Catchment Area, the members of the Asset Management Board, the Secretary of the Commonwealth of Massachusetts with a copy to the Executive Office for Administration and Finance, the Pioneer Valley Planning Commission, and those municipal officials identified in the Proposal;

WHEREAS, a public hearing was held on January 2, 2025, remotely via Zoom, regarding the intention of TRC to submit a Proposal to the Board. Five comments were received at the remote public hearing. An additional public hearing was conducted in person on January 7, 2025, at the Springfield State Office Building. Eight comments were received at the in person public hearing. Additional public comments were received by email. The minutes of both public hearings, including the comments received, are included in the Proposal;

WHEREAS, the Board finds that the Proposal contains all of the information that must be contained in a Proposal submitted to the Board pursuant to M.G.L. c. 7B and 810 CMR 2.06, as well as all other information deemed pertinent by the proponents of the Proposal and all the information requested by the Board; and

WHEREAS, based on the facts and information included in the Proposal, the Board finds that the Proposed Project meets all standards for approval set forth in M.G.L. c. 7B and 810 CMR 2.02, as more specifically set forth below:

A. The Board finds that acquisition of a lease for a regional justice center, including general office space, court rooms, and detention areas serving key courthouse operational functions within the Lease Catchment Area for a term of 40 years plus two 10-year option terms for the Massachusetts Trial Court promotes sound asset management and public benefits for the Commonwealth.
B. Based upon its review of the information contained in the Proposal, the Board finds that the Proposed Project is financially viable.
C. The Board has reviewed the letter of support for the Proposed Project from the TRC Court Administrator and finds that the Proposed Project is in the best interest of TRC.
D. Provided that the Proposed Project proceeds in accordance with the implementation, performance and monitoring criteria set forth in the Proposal, the Board finds that the Proposed Project will not result in windfall profits to any individual or group of individuals.
E. The Board finds that the Proposed Project will serve an important public purpose by allowing TRC to: (1) establish a new courthouse that can be procured and developed more efficiently and expediently than a traditional Commonwealth-owned facility; reduce costs associated with tenant improvements, purchase and installation of specialized fit-up for crime lab use and moving costs that are incurred each time an agency relocates; (2) release substantial capital funding that would otherwise be necessary for constructing a new Commonwealth-owned facility or renovating the existing site; (3) reduce costs associated with leasehold improvements, purchase and installation of specialized fit-up for court use and moving costs that are incurred each

time an agency relocates; (4) capture the value of improvements and investments made for the Commonwealth; and (5) promote sound management of the Commonwealth's use of space and portfolio of leased space.

F. The Board has reviewed and considered the procurement process set forth in the Proposal and finds that the Property will be procured through an open and competitive process that is consistent with the intended public benefit.
G. The Board finds that TRC, with the assistance of the DCAMM Office of Leasing and State Office Planning, appears to be qualified to adequately manage and execute the Project.
H. Based upon the Board's review of the information set forth in the Proposal and the letter of support from the TRC Court Administrator, the Board finds that the Proposed Project will not interfere with the missions and functions of TRC and is in the best interest of the Commonwealth.

In accordance with the foregoing findings of the Board and the powers granted pursuant to M.G.L. c. 7B, s. 4 and 810 CMR 2.02, the Board is authorized to determine that certain property procurement and disposition laws and regulations otherwise applicable shall not apply to the Proposed Project. Accordingly, the Board hereby makes the following determinations:

Determination #1:

The Board hereby determines that the provisions of M.G.L. Chapter 7C, Section 33-37, except Section 36 (Acquisition of Real Property by Lease and 10 Year Limitation) shall not apply to the Proposed Project.

Determination #2:

The Board hereby determines that the provisions of M.G.L. Chapter 30, Sections 39F through 39R inclusive (but not Section 39H), M.G.L. Chapter 149, Sections 44A through 44J inclusive shall not apply to the Proposed Project, except for certification of non-collusion in contracting requirement and any laws pertaining to the payment of prevailing wages.

Determination #3:

The Board hereby determines that the provisions of 810 CMR 2.06(2)(c) (Polling Requirement) shall not apply to the Proposed Project.

NOW, THEREFORE, the members of the Board whose signatures appear below have made the foregoing findings and have voted to grant approval to the Proposal subject to a requirement that DCAMM conduct a conference during the Request for Proposals process to field questions from potential bidders.

Approved by a vote of three Board members in favor and one Board member opposed (although the Board consists of five members as per M.G.L. c. 7B, there are currently only four members on the Board).

RESOLVED AND APPROVED BY THE FOLLOWING MEMBERS OF THE ASSET MANAGEMENT BOARD:

Adam Baacke, Chairperson — Date: 3/18/2025

Sean Gildea — Date

Margaret Wagner — Date

[Vacant Seat]
Public Member — Date

OPPOSED BY THE FOLLOWING MEMBER OF THE ASSET MANAGEMENT BOARD:

Jeffrey Shapiro, Inspector General — Date

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RESOLVED AND APPROVED BY THE FOLLOWING MEMBERS OF THE ASSET MANAGEMENT BOARD:

Adam Baacke, Chairperson — Date

Sean Gildea — 3.12.25 Date

Margaret Wagner — Date

[Vacant Seat]
Public Member — Date

OPPOSED BY THE FOLLOWING MEMBER OF THE ASSET MANAGEMENT BOARD:

Jeffrey Shapiro, Inspector General — Date

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Adam Baacke, Chairperson Date

______________________________ ____________
Sean Gildea Date

______________________________ 3/14/25
Margaret Wagner Date

[Vacant Seat]
Public Member Date

OPPOSED BY THE FOLLOWING MEMBER OF THE ASSET MANAGEMENT BOARD:

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Jeffrey Shapiro, Inspector General Date

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Adam Baacke, Chairperson Date

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Sean Gildea Date

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Margaret Wagner Date

[Vacant Seat]______________ ____________

Public Member Date

OPPOSED BY THE FOLLOWING MEMBER OF THE ASSET MANAGEMENT BOARD:

____________________________ 3-12-2025

Jeffrey Shapiro, Inspector General Date