



Project Proposal to  
The Asset Management Board

**Executive Office of Public Safety and Security  
Acquisition of Office and Crime Laboratory Lease for  
Department of State Police**

**Auburn, Berlin, Boylston, Grafton, Hopkinton, Hudson,  
Marlborough, Millbury, Northborough, Shrewsbury,  
Southborough, Upton, West Boylston, Westborough, or Worcester,  
Massachusetts**

**June 27, 2023**

*Proposed by:*

Executive Office of Public Safety and Security  
Terrence M. Reidy, *Secretary*

*In Consultation with*

Department of State Police  
John Mawn, *Interim Colonel*

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## **I. DESCRIPTION OF THE PROJECT:**

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### **Proposing Agency:**

Executive Office of Public Safety and Security (“EOPSS”)

### **Description of the Project:**

The Project is for the acquisition of leased space for the Department of State Police (“POL”) Crime Lab for not less than 200,000 usable square feet and not more than 250,000 usable square feet of office and laboratory space for an initial lease term of 20 years and two extension options of 10 years each for a maximum term of 40 years. EOPSS seeks approval on behalf of POL from the Asset Management Board to acquire the lease, which requires many specifications including general office space, including large meeting rooms or auditoriums, and complex scientific laboratory space. The laboratory spaces require unique considerations, such as large walk-in cold storage rooms, explosion-proof evident storage rooms, careful consideration of distinct HVAC systems for certain lab areas, anti-vibration flooring, strict temperature and humidity control parameters, a vehicle bay for processing large evidence items, and a loading dock for delivery of scientific equipment. Given these unique specifications, moving forward with a long-term lease would allow the agency to amortize tenant improvement costs over a longer period of time.

The lease will be acquired through a competitive process to seek proposals for lease of space within the search area defined as the Cities and Towns of Auburn, Berlin, Boylston, Grafton, Hopkinton, Hudson, Marlborough, Millbury, Northborough, Shrewsbury, Southborough, Upton, West Boylston, Westborough, or Worcester, Massachusetts, delineated on the map included as **Attachment 1** (“Lease Catchment Area”). A letter of support from the Secretary of Executive Office of Public Safety and Security is attached in **Attachment 2**.

The Commonwealth currently leases 94,480 usable square feet of laboratory space for POL at 124 Acton Street, Maynard. The landlord is Maynard Industrial Properties Associates Trust. Current operations require more square footage for POL to properly operate a crime lab. The Lease will expire on November 5, 2026.

### **Description of the Asset**

This project is for the procurement of currently unidentified leasehold estate of not less than 200,000 usable square feet and not more than 250,000 usable square feet for office/laboratory space for a term of up to 40 years (initial term of 20 years) within the Lease Catchment Area .

### **Public Purpose and Public Benefits**

The goals of the Project are to achieve the following public purposes and public benefits: (1) 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) capture the value of improvements and investments made for the Commonwealth in existing leaseholds; and (3) promote sound management of the Commonwealth’s portfolio of leased space.

### **Description of the Project Procurement Method**

The Division of Capital Asset Management and Maintenance (“DCAMM”), in consultation with EOPSS, will acquire the lease through a competitive process. DCAMM will issue a Request for Proposals (“RFP”) to solicit proposals from interested parties. The Commonwealth of

Massachusetts, acting by and through DCAMM on behalf of the POL, will enter into a lease with the selected proposer.

## **II. PUBLIC PURPOSE AND PUBLIC BENEFITS:**

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### **Sound Asset Management and Public Benefit:**

The Project was developed in a manner consistent with DCAMM's goals to manage the Commonwealth's portfolio of leases in the Lease Catchment Area.

Having the option to extend lease terms beyond 10 years will be beneficial to the Commonwealth. Renovated premises may remain in good condition and continue to support an agency's operations after 10 years; options to extend lease terms enable the Commonwealth to take advantage of premises that continue to meet agency needs and to continue to benefit from the investment made in costly lab-specific tenant improvements. An initial 20-year term will allow the landlord to amortize the cost of tenant improvements over 20 years as opposed to 10 years and should lead to reduced rent. It is estimated that the cost of tenant improvements for this Project will be approximately \$150 - \$250 per square foot. See **Attachment 5 - Market Assessment of Improvements for POL Central Mass Crime Lab**, for a discussion of probable savings to the Commonwealth for the cost of these anticipated improvements. The longer term would also save the Commonwealth in relocation costs estimated to be \$1.50 per square foot (which could cost up to \$375,000 to relocate a 250,000 square foot crime lab).

Due to the large amount of space being sought and the high cost of tenant improvements and relocation, EOPSS proposes to seek a leasehold interest longer than the 10-year term permitted under M.G.L. c. 7C, s. 35. EOPSS, POL, and DCAMM's Office of Leasing and State Office Planning have evaluated POL's existing offices and laboratories and its anticipated future needs, with the goal to provide adequate space for the agency's future office and laboratory occupancy in the Lease Catchment Area. The existing crime lab needs are not being met in the current 94,480 sf facility. This proposal seeks authorization to lease a crime lab of up to 250,000 sf.

## **III. LAWS AND REGULATIONS TO BE WAIVED:**

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EOPSS requests that the AMB waive the following laws and regulations for this proposed transaction:

M.G.L. Chapter 7C, Sections 33-37, except Section 36.

M.G.L. Chapter 30, Sections 39F through 39R inclusive, except Section 39H.

M.G.L. Chapter 149, Sections 44A through 44J inclusive, except for certification of non-collusion in contracting requirement

810 CMR 2.06(2)(b)

810 CMR 2.06(2)(c)

810 CMR 2.05(3) in part

M.G.L. Chapter 7C, Section 33-37, except Section 36 (10 Year Limitation) – These sections govern the acquisition of the acquisition of real property by lease, including the limitation of the length of the term of any lease acquisition to a maximum of 10 years. These sections should be

waived to make clear the acquisition of this lease is pursuant to AMB authorization, not M.G.L. Chapter 7C.

M.G.L. Chapter 30, Sections 39F through 39R inclusive (but not Section 39H)

M.G.L. Chapter 149, Sections 44A through 44J inclusive, except for certification of

non-collusion in contracting requirement – These laws govern competitive

procurement of construction contracts by state authorities, departments and municipalities. While a competitive process will be required, the selection will be based on factors including, but not limited to, cost of construction and therefore the public construction laws will not apply. The noncollusion in contracting requirement would not be waived, nor would any laws pertaining to the payment of prevailing wages for improvements constructed on state-owned property.

810 CMR 2.06(2)(b) (Agency Inventory) – No inventory is required because no asset of the proposing agency is being declared as surplus.

810 CMR 2.06(2)(c) (Polling Requirement) –The first sentence of this section requires the Commissioner of DCAMM to certify receipt of an inventory of the agency’s assets and that such inventory is accurate and correct. The inventory is not required because no asset of the proposing agency is being declared as surplus. The second sentence of Section 2(c) requires the DCAMM Commissioner to also certify that the project does not conflict with the current and foreseeable needs of any agency of the Commonwealth. Since this transaction does not require state polling, the requirement in this second sentence should be waived to make it clear that the Commissioner’s certification is not required.

810 CMR 2.05(3) (Public Hearing Requirement, in part) - The EOPSS Lease Search Area is Cities and Towns of Auburn, Berlin, Boylston, Grafton, Hopkinton, Hudson, Marlborough, Millbury, Northborough, Shrewsbury, Southborough, Upton, West Boylston, Westborough, and Worcester. One public hearing was held remotely, rather than holding separate hearings in each legislative district as the asset to be acquired is unknown and not located in any specific legislative district.

#### **IV. ALTERNATIVE ACQUISITION PROCESS:**

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EOPSS seeks AMB authorization to procure a leasehold estate for office/laboratory use for a term of up to 40 years including extension options. Landlord and premises will be selected through a competitive Request for Proposals (RFP) process. DCAMM, on behalf of EOPSS and POL, will conduct the proposal selection process as described below.

##### **Competitive Selection Process**

Following AMB approval of a Final Project Proposal for this Project, DCAMM, in coordination with EOPSS, will undertake the following process to select a proposal and enter into a lease:

1. Prepare RFP: DCAMM will prepare and issue the RFP to procure leased office/laboratory space. The RFP will specify the date, time, and place for submission of proposals. The RFP informs all potential proposers of:
  - the Commonwealth’s space needs,
  - the steps proposers must take to submit a proposal,

- the procedures followed and the criteria used by DCAMM and the User Agency to evaluate proposals and select the proposal most advantageous to the Commonwealth's needs,
  - the Lease to be executed between the property owner and the Commonwealth of Massachusetts acting by and through DCAMM on behalf of the User Agency, and
  - the Landlord's Services and Landlord's Improvements the Landlord must provide under the Lease.
2. Advertise RFP: The RFP will be advertised in accordance with the provisions of Chapter 7C, Section 36.
  3. Receive Proposals, Evaluate, Select Proposal: Proposals will be evaluated based on the requirements and criteria specified in the RFP. DCAMM will select the most advantageous proposal based on evaluation of the proposals received and the recommendations of EOPSS and POL.
  4. Documentation: DCAMM, in consultation with EOPSS and POL, will prepare the necessary legal documents for the lease transaction.
  5. Execute Lease: DCAMM will execute the lease for the Commonwealth and on behalf of EOPSS and POL.

## **V. FINANCIAL FEASIBILITY:**

Through the RFP process, DCAMM will obtain proposals that reflect fair market value for a leasehold within the search area. We anticipate there will be competition as there is currently a lot of vacancy throughout the Commonwealth. Allowing an additional 10 years in the initial term will be more financially feasible by allowing the cost of improvements to be amortized over a longer period of time and thus reducing the anticipated monthly rent. EOPSS anticipates that POL will have the funds necessary to complete the Project.

The estimated value of the leasehold to be acquired would be \$8m to \$12.5m per year in rent, including operating expenses depending upon base rent charged, size of leasehold and cost of improvements. This would be a savings to the Commonwealth compared to an estimated construction cost of \$200m (based on a \$800 per square foot) if the Commonwealth were to construct improvements to an existing facility not including the costs of land acquisition or operating expenses.

## **VI. IMPLEMENTATION AND PERFORMANCE MONITORING:**

EOPSS, in consultation with DCAMM, will assist the AMB in monitoring the performance of the proposed transaction by reporting annually to the AMB pursuant to its regulations (810 CMR 2.08).

The successful performance of this Project will be measured objectively by the following criteria:

- The procurement process will yield a long-term lease that will address Project aspirations and goals.

## Major Milestones and Completion Date:

Upon approval of this Project Proposal, by the AMB, DCAMM, in consultation with EOPSS will initiate the competitive procurement process which will include advertising and soliciting competitive proposals in accordance with the Competitive Selection Process outlined in this Project Proposal.

Task	Approximate Date
Issue RFP; advertise in accordance with c. 7C, §36	4 <sup>th</sup> Quarter 2023
Proposal Submission Deadline	1 <sup>st</sup> Quarter 2024
Proposal Selected	2 <sup>nd</sup> Quarter 2024
Lease Executed	3 <sup>rd</sup> Quarter 2024

## VII. PUBLIC PARTICIPATION:

Prior to submitting a Final Project Proposal to the AMB, EOPSS, with the assistance of DCAMM, conducted the following public notice and hearing process:

1. Public Notice: EOPSS, in collaboration with DCAMM, published a “Notice of Intent to Submit a Proposal and Public Hearing” with an invitation for public comment. The notice was advertised once a week for two consecutive weeks in the Central Register and once a week for two consecutive weeks in the Worcester Telegram and the Metrowest Daily News. The last notices appeared no less than seven days prior to the public hearing. A downloadable copy of the draft AMB Project Proposal was posted on the Mass.gov website along with information on how to submit comments and details of the public hearing. Copies of the Notice of Intent to Submit a Proposal and Public Hearing are attached to this Proposal as **Attachment 3 – Public Notices**.
2. Notice to Public Officials: A copy of the notice was sent to the members of the Asset Management Board, Secretary of the Commonwealth of Massachusetts with a copy to the Executive Office of Administration and Finance, Central Massachusetts and Metropolitan Area Planning Councils and to the following members of the General Court and municipal officials:

Name	Branch	Room	Email Address
James B. Eldridge	Senate	511-C	James.Eldridge@masenate.gov
Ryan C. Fattman	Senate	213-A	Ryan.Fattman@masenate.gov
Anne M. Gobi	Senate	413-A	Anne.gobi@masenate.gov
Robyn K. Kennedy	Senate	437	Robyn.Kennedy@masenate.gov
Michael O. Moore	Senate	109-B	Michael.Moore@masenate.gov
Karen E. Spilka	Senate	332	Karen.Spilka@masenate.gov
James Arena-DeRosa	House of Representatives	B1	James.Arena-eRosa@mahouse.gov
Kate Donaghue	House of Representatives	B1	Kate.Donaghue@mahouse.gov
Daniel M. Donahue	House of Representatives	544	Daniel.Donahue@mahouse.gov
Paul K. Frost	House of Representatives	542	Paul.Frost@mahouse.gov
Carmine Lawrence Gentile	House of Representatives	167	carmine.gentile@mahouse.gov
Danielle W. Gregoire	House of Representatives	21	Danielle.Gregoire@mahouse.gov
Kate Hogan	House of Representatives	370	Kate.Hogan@mahouse.gov
Hannah E. Kane	House of Representatives	167	Hannah.Kane@mahouse.gov
Mary S. Keefe	House of Representatives	466	Mary.Keefe@mahouse.gov

Meghan Kilcoyne	House of Representatives 443	meghan.kilcoyne@mahouse.gov
David Henry Argosky Leboeuf	House of Representatives 146A	david.leboeuf@mahouse.gov
John J. Mahoney, Jr.	House of Representatives 146	John.Mahoney@mahouse.gov
David K. Muradian, Jr	House of Representatives 156	David.Muradian@mahouse.gov
James J. O'Day	House of Representatives 540	James.O'Day@mahouse.gov

Note: Senators and Representatives receive notification by email

Board of Selectman for Towns in Search Area and City Manager for City of Worcester and Mayor for the City of Marlborough

Chair, Board of Selectmen	Town of Auburn	104 Central Street	Auburn, MA 01501
Chair, Board of Selectmen	Town of Berlin	3 Linden Street	Berlin, MA 01503
Chair, Board of Selectmen	Town of Boylston	221 Main Street	Boylston, MA 01505
Chair, Board of Selectmen	Town of Grafton	30 Providence Road	Grafton, MA 01519
Chair, Board of Selectmen	Town of Hopkinton	18 Main Street	Hopkinton, MA 01748
Chair, Board of Selectmen	Town of Hudson	78 Main Street	Hudson, MA 01749
Chair, Board of Selectmen	Town of Millbury	127 Elm Street	Millbury, MA 01527
Chair, Board of Selectmen	Town of Northborough	63 Main Street	Northborough, MA 01532
Chair, Board of Selectmen	Town of Shrewsbury	100 Maple Avenue	Shrewsbury, MA 01545
Chair, Board of Selectmen	Town of Southborough	17 Common Street	Southborough, MA 01772
Chair, Board of Selectmen	Town of Upton	One Main Street	Upton, MA 01568
Chair, Board of Selectmen	Town of West Boylston	140 Worcester Street	West Boylston, MA 01583
Chair, Board of Selectmen	Town of Westborough	34 West Main Street	Westborough, MA 01581
Mr. Eric D. Batista, City Manager	City of Worcester	455 Main Street	Worcester, MA 01608
The Honorable Arthur G. Vigeant	Mayor of Marlborough	140 Main Street	Marlborough, MA 01752

Note: Chairperson of the Board of Selectmen, City Manager, and Mayor received notification via regular mail

**Public hearing:** A public hearing was conducted remotely on June 16, 2023. The minutes to the public hearing are attached to this Proposal as **Attachment 4 – Minutes of Public Hearing**.

## VIII. CONCLUSION:

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The Executive Office of Public Safety and Security (EOPSS) believes that this request for authorization to enter into a 20-year lease with two ten-year extension options through a competitive request for proposals process is in the public interest, and meets the standards set forth in M.G.L. Chapter 7B and in 810 CMR 2.02(1)(a) through (g). Should the AMB approve this Project Proposal, EOPSS, in collaboration with DCAMM, will issue a Request for Proposals for the procurement of a lease through the competitive selection process identified in this Project Proposal.



## ATTACHMENTS

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A map of Worcester County, Massachusetts, showing the boundaries of various towns. The towns of Worcester, Uxbridge, and Northbridge are highlighted in yellow. Major roads are shown in blue. The map includes labels for numerous towns, including Westminister, Leominster, Lancaster, Harvard, Littleton, Carlisle, Acton, Concord, Stow, Bolton, Clinton, Sterling, Princeton, Rutland, Holden, Paxton, Worcester, Uxbridge, Northbridge, Millis, Medway, Bellingham, Franklin, Wrentham, Taunton, Duxbury, and others.

**ATTACHMENT 2**  
**Letter of Support from Secretariat**

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## ATTACHMENT 3

### Notice of Public Hearing

The following notice was published in the Central Register on May 31, 2023 and June 7, 2023 as well as in the Newspapers Legal Notices page on June 1, 2023 and June 8, 2023:

Commonwealth of Massachusetts  
Executive Office of Public Safety and Security

**Notice of Intent to Submit a Project Proposal to the Asset Management Board and Public Hearing for the Acquisition of a Long-Term Leasehold Interest in Real Property Located within the Cities and Towns of Auburn, Berlin, Boylston, Grafton, Hopkinton, Hudson, Marlborough, Millbury, Northborough, Shrewsbury, Southborough, Upton, West Boylston, Westborough, or Worcester for the Executive Office of Public Safety and Security on behalf of the Department of State Police.**

The Executive Office of Public Safety and Security, in collaboration with the Division of Capital Asset Management and Maintenance, hereby gives notice under 810 CMR 2.05 that it intends to submit a Project Proposal to the Asset Management Board and that it will hold a public meeting on the proposed project. The proposed project is for the acquisition of a long-term leasehold interest in real property located within the Cities and Towns of Auburn, Berlin, Boylston, Grafton, Hopkinton, Hudson, Marlborough, Millbury, Northborough, Shrewsbury, Southborough, Upton, West Boylston, Westborough, or Worcester for office/laboratory space for the Executive Office of Public Safety and Security on behalf of the Department of State Police (“Agency”). The project contemplates acquiring a lease for up to 250,000 usable square feet of office/laboratory space for a term of 20 years plus two 10-year extension option terms for a maximum lease term of forty (40) years. The estimated value of the leasehold to be acquired would be \$8m to \$12.5m per year in rent, including operating expenses depending upon base rent charged, size of leasehold and cost of improvements. This would be a savings to the Commonwealth compared to an estimated construction cost of \$200m (based on a \$800 per square foot) if the Commonwealth were to construct improvements to an existing facility not including the costs of land acquisition or operating expenses. The landlord will be selected through a competitive process.

The Commonwealth is contemplating the acquisition of a long-term lease for office/laboratory space for the Agency to achieve 2 main goals:

1. Amortize the cost of specialized fit-out over a longer initial term, to reduce the Agency’s monthly costs; and
2. Continue to benefit from the investment made in a costly specialized fit-out.

The draft Project Proposal is available at <https://www.mass.gov/info-details/central-ma-crime-lab-project-proposal>. Copies are also available by emailing [Bruce.Tebo@mass.gov](mailto:Bruce.Tebo@mass.gov). Please note the draft Project Proposal may be updated periodically throughout this process.

The public hearing will be held on June 16, 2023 at 2:00 p.m. at <https://us02web.zoom.us/j/87170398487>. The public is invited to comment on the proposed project at the public hearing and may submit written comments.

The deadline for submitting written comments is Tuesday, June 20, 2023 at 4 p.m. ET. Comments may be submitted on the website or by email to [Bruce.Tebo@mass.gov](mailto:Bruce.Tebo@mass.gov).

By: Carol Gladstone, Commissioner  
Division of Capital Asset Management and Maintenance

**ATTACHMENT 4**  
**Minutes of Public Hearing**

**Remote Public Hearing Minutes**

To be attached.

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## **ATTACHMENT 5**

### **Market Assessment of Improvements for POL Central Mass Crime Lab**

#### **SUMMARY OF MARKET ASSESSMENT OF IMPROVEMENTS FOR POL CENTRAL MASS CRIME LAB**

The projected cost for tenant improvements for a Department of State Police Crime Lab is estimated at \$250.00 per usable square foot due to the specialized requirements within a lab facility. This is based on current leased projects for the Massachusetts Trial Court, Department of State 911, and Department of Elementary and Secondary Education whose tenant improvements costs were between \$120.00 and \$200.00 per usable square foot.

If the Commonwealth were to renovate an existing building, the projected cost would be estimated at approximately \$800.00 per usable square foot. This projected cost is based on a current construction project at the Shattuck Hospital which has a budget of \$325,000,000 for a 410,000 square foot building.

By leasing a building in Central Massachusetts, it is projected that the estimated \$250.00 per square foot for tenant improvements for a 250,000 square foot facility will cost approximately \$62,500,000. To amortize this buildout at 8% per year for 10 years the monthly cost of tenant improvements only would be \$753,275.63. If the tenant improvements are amortized over a 20-year term at 8%, the monthly cost of improvements would be \$519,312.96 a monthly reduction in rent of almost \$234,000 per month, which would be a significant savings to the Commonwealth.

The advantage of a 20-year lease with the two 10-year options allows the Commonwealth to amortize the tenant improvement cost over a longer period of time, saving the Commonwealth an estimated \$234,000 per month. Typically, renovated premises of this type remain in good condition and continue to support the agency's operations after 10 years. Options to extend lease terms enable the Commonwealth to take advantage of premises that continue to meet the agency needs and continue to benefit from the investment made in costly lab-specific tenant improvements.

## ATTACHMENT 5

### Market Assessment of Improvements Costs for POL Central Mass Crime Lab

<u>Facility</u>	<u>Status</u>	<u>Usable Square Feet</u>	<u>Improvement Cost per USF</u>	<u>Total Improvement Cost</u>	<u>Cost of Improvements per Month</u>
<u>Leased Projects</u>					
Trial Courts, Probate & Family Court, Woburn	Date of Occupancy: November 2020	49,818	\$200.00	\$9,963,600.00	\$83,030.00
*includes 3 levels of circulation					
for security, sallyport, holding cells					
substantial millwork for court rooms					
Massachusetts State 911, Milford	Estimated Date of Occupancy: December 2023	50,976	\$156.50	\$7,977,744.00	\$66,481.20
* includes generator, UPS systems, shower facilities, gym					
requirements, significant AV component, raised computer flooring					
Department of Elementary and Secondary Education, Everett	Estimated Date of Occupancy: December 2023	72,216	\$118.88	\$8,585,038.08	\$71,541.98
* office space					
<u>State Construction Project</u>					
New Shattuck Hospital, Boston	Construction Project ongoing - renovation of existing building	410,000	\$792.68	\$325,000,000.00	Not Applicable
<u>Estimated Improvement Costs for Central Mass Crime Lab</u>	Estimated Date of Occupancy: November 2026	250,000	\$250.00	\$62,500,000.00	
Amortize over 10 years @ 8% interest				\$90,393,075.26	\$753,275.63
Amortize over 20 years @ 8% interest in the first 10 years				\$62,317,554.80	\$519,312.96

Savings over 10 years:

**\$28,075,520.46**