

July 27, 2012

Diana Rigby, MSBA Eligible Applicant and,
Superintendent of Schools
Concord Carlisle Regional School District
120 Meriam Road
Concord, MA 01742

Dear Superintendent Rigby:

As the Eligible Applicant and school district leader, you have been strongly advised by the MSBA to bring the Concord-Carlisle Regional School Building Project back into budget, and to the original project scope and design as voted on by the towns of Concord and Carlisle.

At this time, you are urged to PLEASE ask the MSBA to permit and approve the site plan adjustments relative to grading changes and minor road relocation necessary to retain our Transportation Buildings where they are. This important step can and should be taken by you now. You will want to look at the community and claim you *tried* when you come before us with requests for more money to relocate Transportation, or school budget etc.

The MSBA is apparently not aware that the site location selected¹ requires demolition of three (3) Transportation Buildings. The Bus Maintenance facility cost \$350,000 and was purchased by bond issue and just paid off as of May 15, 2010. The second modular unit structure housing the Transportation Administration offices was financed in December, 2007 by bond issue, and won't be paid until December, 2017. Only 40% of the original principal cost has been repaid as of December 15, 2011. A third building is used for school vehicles. We will continue to pay

¹ Although you selected the site, you stated over and over at Town Meeting, "*the MSBA chose the site...it had to be there*" due to all their [MSBA] requirements for light, air, environment, green etc. The effort expended in blaming the MSBA for the site selection demonstrates your expectation of objection when the truth about the transportation buildings came out. We now know that you selected this site, without giving consideration to the enormity of both the financial and transportation aspect of the decision, the 96 acres available to the District for the High School, other and better locations that did not require \$8 million for moving dirt, or your fiduciary responsibility to the taxpayers in the School District.

By your own design and words, the slides presented at Town Meeting stated you would be 'fiscally responsible' [slides 14 & 30] and "be fiscally responsible, cost-effective and consistent with the MSBA and community values..."

<http://www.cchsbuilding.org/pb/documents/docs/Concord%20Town%20Meeting%20FINAL.pdf>

The decisions made throughout are a mockery to the stated goals and promises to the community. This community values *all* its resources, the buildings we fund and importantly the personal services rendered by dedicated employees.

We were also told that the MSBA said we *had to build a new school* if we wanted MSBA money. "This option was studied in 2009 and 2010 and was rejected by the Massachusetts School Building Authority (MSBA), because of the level of deterioration. We will not receive reimbursement from the state for funds used to renovate the existing structure."

See, http://www.cchsbuilding.org/pb/wp_8e437b7c/wp_8e437b7c.html. It is unclear if this was true.

However, no concern for the future need to address the Concord Middle Schools, or the need to conserve resources was demonstrated by the decision making.

debt service at the same time you want to have the buildings destroyed, and you want to ask the Town to approve an additional \$1.5 million or more to acquire other lands and rebuild the Transportation structures.

It is an unacceptable waste of money and resources to destroy these 2 buildings for any purpose. Their destruction is not justified for a number of reasons, including that it is 'greener' to keep them; recycling is a positive message to learn by example, and not the least of which is that the community voting the new HS project last November was deceived. This large and financially misguided collateral damage was hidden from the Town for at least six (6) months.

As you know, this project has been steeped in controversy since last fall, and confidence in your administration is at an all time low as reflected both by the TELL teacher survey results and the 500+ voters that turned out at Special Town Meeting² to vote in Articles 3, 4, and 5 related to financial disclosures, transparency and retaining our town transportation services.

You can take steps to remediate public distrust and heal the wounds created by the mismanagement of the CCHS Building project and the deceit related to outsourcing transportation, if you are prepared to act in a financially responsible manner now. All parties to the CCHS Building project, including the Building Committee [BC] and the School Committees [SC], have the responsibility to do what is best for the citizens and taxpayers of this District, and should not be putting private agendas before the public good. In fact, the BC was tasked with being financially responsible at the outset, and that has always been part of your job as the eligible applicant and leader of this project.

Bill Plummer, a physicist and engineer by experience and credentials, took a detailed look at the site plan posted by OMR Architects on June 27, compared it with a Google Earth view of the present site, and discovered that the planned site for the new school does NOT truly require removal of the Transportation Facility. The distance between the transportation facility and the new school is at least 60 yards. It is unclear why the School Administration and Building Committee have not made effort to re-examine the site issues in light of massive and continuing Town opposition to outsourcing Transportation when it was never necessary as the site plans indicate. Given there are already material and significant changes underway with the design, it makes sense to ask the MSBA about this. It does not apparently affect the structure, and may provide an opportunity to distribute some excess fill.

Mr. Plummer reviewed the possibility of altering the proposed plans somewhat to retain Transportation with Stan Durlacher, the new Chairman of our Building Committee, at the site. Stan readily admitted that the architects could indeed have worked around the transportation facility rather easily if they had been asked to when the site was first selected. Stan claims that nothing can be done now to retain that town asset because "the MSBA would never approve" the grading changes and minor road relocation needed to fit

² Over 250 citizens attended a February community forum at Alcott, 508 citizens signed a Petition at Change.org, <http://www.change.org/petitions/concord-school-committee-and-concord-carlisle-regional-school-committee-vote-no-on-the-school-transportation-outsourcing-recommendation>; and 371 citizens signed Articles for Special Town Meeting, when only 200 were required. The Vote on Articles 3, 4, and 5 was overwhelming. Virtually every podium speaker condemned the actions of the Building and School Committees with respect to the Transportation debacles and the lack of Transparency.

everything together. Copies of the site plan pages EX-3 and EX-4 that detail the grading work, have been received by Bill for additional analysis.

For seven (7) months there has been continuously growing opposition in Concord to the way this HS Building project has been managed. When the Building Committee selected the present site on June 15, 2011, there had been several suggested by OMR Architects that were vetted with the MSBA and clearly more desirable based on the MSBA Preferred Schematic Designs, the selection criteria and cost. The site the BC chose, unlike others offered, supposedly "required" demolition of an existing town asset, the transportation facility that houses and maintains our fleet of 36 school buses and about thirty other school vehicles, not to mention the \$8 million dollars for removal of dirt behind the High School alone.

Within one (1) month of site selection, your staff obtained a bid/proposal on July 28, 2011 for Flahive Consulting to outsource Concord Transportation.³ However, at the same time, during the summer and fall of 2011 you told the community that you were aware there might be "some impact on transportation and that you were looking at all the options".⁴ This mantra was repeated over and over, on August 30, 2011, in October, and 2 times in November 2011, and in various news articles. See, <http://concordtv.org/video-on-demand>; look for the Special Town Meeting November, 2011 at about 1:27 minutes, where a woman asked about Transportation and was answered by Jerry Wedge, co-chair Building Committee, speaking for the Building Committee at town Meeting.

The clear plan in play to destroy that facility was intentionally not revealed when we voted for the \$92.5 million construction budget at our Special Town Meeting in November, 2011. We were misled, as the video referenced above amply demonstrates. You told us that the School Administration was "exploring all options" for continuing our bus transportation, but you actually made an undisclosed decision much earlier to outsource the entire operation, and had retained a consultant to do just that. The magnitude of your decision to deceive by omission while blaming the MSBA is astonishing and disturbing.

When the outsourcing plan was finally revealed, it was roundly opposed in a large public meeting in February 2011 attended by hundreds of concerned citizens.⁵ We were told again

³ The outsourcing consultant James Flahive of Flahive Consulting was contacted for a quote before July 28, 2011, and responded on that date with his spec and proposal for outsourcing *only*. Flahive was previously employed by First Student until April, 2009, the same company that John Flaherty wanted to award the Transportation Outsource contract to. Flahive's quote was for \$5,500 and demonstrates that by July, 2011 the School Administration planned to be rid of busing and transportation. A month later John Flaherty requested funds from the School Committee [SC] on August 30, 2011 for a "transportation consultant." Coincidentally also on August 30, 2011 John Flaherty received a second quote for services by TransPar. The Transpar quote was \$12,600 and addressed *all* busing options, streamlining, route alterations as well as outsourcing, ie: this proposal would have truly 'explored all options.' However, Flaherty only asked for \$10k with full knowledge that it was insufficient for that bid. Citizens and constituents of the District were continuously deceived through and after the November 2011 Vote.

⁴ The August 30, 2011 School Committee minutes show *Cynthia Som reporter from Carlisle Mosquito* asking what the transportation consultant was for, and this response.

⁵ At the February 2012 Alcott forum John Flaherty was asked over and over if the Transportation Buildings could be saved or utilized. We were told that they could not be saved, moved or disassembled. Contrary to that statement, and consistent with the SA plan to destroy our Transportation Buildings, John

that "other options were being examined." However, we learned from Public Records Requests that *only* outsourcing was being considered. Deputy Superintendent John Flaherty solicited bids/RFP for that work and advocated a contract with First Student. Those bids were cancelled by the Office of the Inspector General for violations of M.G.L. 30B relative to bidding, although you never acknowledged this, and claimed a change of mind.

Concord citizens reacted to the activity by the School Administration and School Committee by introducing three (3) Articles by petition in a Special Town Meeting on April 24. Article 3 called for blocking bus outsourcing for at least another year; Article 4 set up a Citizen's Transportation Committee to review and study other options and report them out this fall; and Article 5 called for much greater transparency in the School budget. These three articles were all virtually unanimously supported by hundreds of people present for the voting. Citizen commentary was excoriating and many citizens stated they had lost confidence in our School Administration and School Committees because of their secrecy, financial irresponsibility, and complicit actions with the Building Committee and the School Administration.

After selecting a site that triggered the potential loss of these Transportation Buildings, and refusing to accept responsibility to fix the problems created by School Administration and the Building Committee, John Flaherty has repeatedly stated it may take an additional \$1.2 million (not related to the MSBA budget) to rebuild the bus facility elsewhere in Concord or an adjacent town.⁶ The School Committee has tried to block the easier and less expensive solutions to this problem by moving to prevent relocating the facility anywhere else on the Regional School grounds. Analysis of their flawed rationale, along with the original Master Plans, and minutes from the OMR minutes of April, 2011 strongly suggests the excuse for doing so is based on a desire to "someday" build a field house.⁷

More recently we have learned from the MSBA that the new school building that was described to us *when we voted for the \$92.5 million budget is not* the building we are going to get. Somehow the architects, who have a significant history of building in Concord MA were off in their estimates by as much as 27%! Because we now must work to a more realistic construction budget, we evidently will not have a double-level cafeteria, nor will we have multiple staircases to facilitate movement between classrooms on four levels, and many of the rooms are to be made smaller and lower. The cupolas and large sunlight shafts now seem to be reduced to three simple skylights. Other cost reductions will be needed in building shape, layout, and materials. *Many citizens are upset that the building you are designing now is not the building described and touted at presentations just prior to the November vote.*

Flaherty gave Turner Construction the Transportation building, which they are moving down the school hill to use as their construction office.

⁶ The District contingency money should be tapped for this fix, not the citizens of Concord.

⁷ A 'field house' was initially in 2010 Master Plans for this site, to be privately funded. The 6/22/12 letter from the SC to Carmen Reiss, BOS speaks to expansion of current athletic fields as well. Also, Parcel 12 R was the best location vetted spring 2011 for the new CCHS site, and approx 1.5 million less according to the MSBA 'Preferred Schematic Design.' The BC minutes and all reports are consistent in this. *Curiously* around April 19, 2011 OMR architects' minutes state: "Don't touch the Football Field"; No one ever thought to say 'Don't touch the Transportation Buildings'. The Building Committee may have sacrificed their obligations to their task and the community in the site selection of the High School, by 'reserving' the area near the football fields.

It is timely and appropriate to evaluate the collective harm done to the Community and District with respect to the Transportation Buildings and all the other issues before you at this time, of which there are *many*. If you request that the MSBA take a fresh look at the option of retaining our transportation facility exactly where it is, with only the minor grading changes and ring road position adjustments that are needed to clear it, it will save Concord a lot of money. Perhaps most of that ring road can also be eliminated as a further cost reduction.

Preserving buildings we are paying debt service on is financially prudent since it does not require wasting resources or expending additional millions over and above the financial overrun already before you. It is an action that is 'green.' It is positive recycling at the least, and it demonstrates a commitment to healing the breach of trust in the community. Please publicly ask the MSBA to permit the minor grading and road changes so we can see by example lessons advocated from the youngest classrooms, to the graduating seniors 'own responsibility for your mistakes'.

You can work with the MSBA to achieve the minor grading and road location changes that will make the new construction compatible with our existing transportation facility.⁸ If you do, you have a possibility to restore at least some of the School Administration's lost credibility.

Sincerely,

Lissa & Chris McKinney
293 Hayward Mill Road
Concord, MA 01742
978-318-7978

cc:

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Jeanne Roberts, Designer, OMR Architects, Inc. jroberts@omr-architects.com

⁸ The expense to re-evaluate or alter plans should not be a factor, and is minor in relation to the profound financial loss of the buildings, the ongoing debt service payments, and the projected cost to acquire land and re-build Transportation at \$1.5 million +. It is noted that the architects have done very well by Concord, at Alcott, Willard, Thoreau, Concord Children's Center, and the Beede Center. They have already committed to working with their designs because of the substantial errors in cost estimates, and/or for over-designing what this town approved. Money for this cannot be the issue: Recently \$30,000 was expended/wasted by your office for faulty plans to park buses at the Sanborn School; You have elected not to replace the Transportation secretary, despite all the concerns, and you don't have to pave Sanborn now. Spending money now will save a lot more money later.

WE, the undersigned residents and taxpayers of Concord, MA, agree and support the premise of this letter:

Fred Martin
Jennifer H Johnson
Larison W Johnson
Cynthia Rainey
Chris Kacher
Paul & Amy Weber
Bill Plummer
David Allen
Andrea Medved
Eric & Carla Macy
Michelle & Mike Pitas
Harry & Carol Williams
Carol & Scott Wipper
Susan Kalled
Michael Lucontoni
Frank & Barbara Curren
Craig & Erin Logan
Phebe Ham
Deborah Bier
George & Thalia Logan
Natalie & Curtis Gekle
Patrick & Nancy Carey
Cathy & Eric Chadwick
Nancy & Luke Burnham
John & Amanda Mahoney
Wanda Gleason
Robert Manlick
Valerie Tratnyek
John & Kirsten Francini
Jackie & Kurt Meehan
Joseph & Pamela Koontz