

Program Overview
605 CMR 6.00
Library Improvement Program –
Public Library Construction

Introduction

Regulations 605 CMR 6.00 governing the Massachusetts Public Library Construction Program (MPLCP) were last completely reviewed and updated in 2001, with minor revisions in 2004 and 2006. In preparation for a new construction grant round to take place in 2010, staff have again reviewed the regulations and are proposing several updates and changes to the Board.

This document is provides background information and serves as a guide to the proposed revised 605 CMR 6.00. A summary of the significant changes proposed follow this overview.

Background

The Massachusetts Public Library Construction Program (MPLCP) was first funded by a state bond authorization in 1987. Since then 299 grants, totaling over \$350 million, have been awarded to 253 cities and towns throughout the Commonwealth. These funds have been used by municipalities to improve public library facilities and services with new library buildings, addition/renovations, special construction projects, and preliminary planning and design activities.

Three Grant Programs and One Incentive Program

To be eligible to receive MPLCP grant funding, applicant libraries must be certified by the MBLC in the State Aid to Public Libraries Program and must have a long range plan on file with the MBLC. All projects must meet the 20-year needs of an applicant's municipality.

- Planning and Design. Assists in preliminary planning and design stage of a building project. Grant funds are used for development of the library building programs, architectural studies, cost estimates, soil studies, and site investigations. Grant funds pay for two-thirds of the cost of planning and design, and funding is capped at \$40,000. Local financial commitment of one third of the cost of planning and design is required.
- Project for New Construction, Addition/Renovation or Renovation. Assists in design development and construction of a building project. Funding awards are based on eligible costs, which may include land purchase (certain restrictions apply); consulting, architectural and engineering fees; construction costs, and costs of fixed equipment. Grant funding varies from project to project but no

library may receive more than 75% of eligible costs. Local financial commitment of no less than 25% of the project's eligible costs is required.

- Catastrophic Loss of a Library Building. Assists after an emergency situation is created that results when an entire existing main, branch or joint library facility is rendered permanently unusable. Immediate eligibility is granted for a Planning and Design grant. Provisional grant awards shall be based on eligible costs and funding formulas as defined in 605 CMR 6.00.
- Green Incentive. Assists to design and develop sustainable buildings that are energy efficient and reduce environmental impact. The library must attain at least the basic level of U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) certification to receive a Green Incentive.

Regulations Overview

6.01: Introduction and Statutory Authorization

605 CMR 6.00 is authorized under Massachusetts General Law, chapter 78, section 19.

6.02: Scope and Purpose

The grant programs governed by 605 CMR 6.00 are designed to provide financial assistance to municipalities in the building, renovating, preserving, converting, and remodeling facilities to be used as free public libraries. These programs are not intended to assist in financing the repair and maintenance of public library facilities.

6.03: Definitions

Defines 61 terms or phrases that describe, explain and clarify the grant program.

6.04 Administrative Procedures and Policies

Describes how the program is managed and the standards and guidelines to be applied in order to accomplish program goals.

6.05: Conditions of Eligibility

Stipulations and agreements that provide detail on how libraries manage projects and use funds.

- (1) Eleven prerequisites must be met in order to qualify to apply for a provisional construction grant award.

- (2) Three prerequisites must be met in order to qualify to sign a grant agreement. Included in this section is a list of 36 assurances from municipalities and libraries to fulfill the purpose and intent of the grant
- (3) Action to be taken by the MBLC if a municipality fails to comply with any of the 36 assurances.

6.06: Types of Projects

Grant projects are broken down into two categories and four kinds of improvement projects. There are minimum components and/or eligibility criteria for each.

(1) General Projects

- (a) New Construction
- (b) Addition/Renovation or Renovation Projects

(2) Special Categories

- (a) Project for Planning and Design
- (b) Catastrophic Loss of a Library Building

6.07: Application Procedures

The process MBLC uses to announce a MPLCP grant round, and the submittal requirements for libraries to apply.

- (1) through (6) The steps that the MBLC takes to announce a grant round and to make information and forms available to potential applicants.
- (7) The minimum submittal requirements that libraries must meet for each project type.

6.08: Selection Procedures and Guidelines

Nine steps describe the course of action taken by the MBLC in order to review and rank grant proposals for approval.

- (1) through (4) Review teams are used to evaluate grants. (MBLC staff members do not participate on review teams.) Fulfillment of minimum requirements for General Project grants must be demonstrated in grant applications
- (5) Nationally accepted space planning standards are endorsed as recommended guidelines by the MBLC.
- (6) & (7) Evaluative criteria, including one relating to sustainable building design and construction, and point system are applied by grant reviewers to review, rank

and recommend funding. Once ranked, other considerations are applied by MBLC staff to prioritize grants. These considerations include:

- Geographic and social-economic distribution of projects recommended for funding
- Joint public libraries
- Availability of funds

(8) Recommendations are made by review teams through the MBLC staff. The agency director makes final recommendations to the Board of Library Commissioners.

(9) Charts summarizing the funding formulas applied to each type of project.

- Funding formulas are based on eligible project costs.
- Total amount of all grant awards, including Green Library Incentive, can not exceed 75% of eligible project costs.
- A need factor is
 - Identified by the MBLC and based on the most authoritative and up-to-date statistical data available from the Commonwealth of Massachusetts or federal government.
 - Applied to every Massachusetts municipality at the time that the program notice is issued for a grant round.
- Green Library Incentive award may be made to eligible libraries. Eligibility criteria for Incentive are listed.

6.09: Provisional Grant Awards

Grant award and/or Waiting List recommendations are approved by the Board of Library Commissioners, and libraries are notified and accept awards as per grant requirements.

(1) through (6) Agency director makes recommendations to the Board of Library Commissioners for grant awards. Recommendations are based on a point system and additional consideration described above. Approved libraries are given provisional grant awards until local financing is committed and other certifications received and requirements met. Once completed and verified by MBLC staff, the grant award becomes final, a grant contract is signed, and the first grant disbursement is authorized. See 600 CMR 6.11 “Waiting List” for details on wait-listed libraries.

(7) & (8) Applicants not approved for provisional grant awards may submit revised applications for review anytime up to six months after the application due date published in the program notice and/or apply for future grant rounds.

6.10: Grant Disbursements

Upon signing of the grant contract, the first grant payment is made. As certain conditions are met through the course of the project later payments are made.

- (1) through (6) Payment installments for most projects happen when the
- Contract is signed. – *30% of grant award*
 - MBLC staff approves final project plans and specification; general contract is executed, and a building permit is issued. – *30% of grant award.*
 - Project is 75% complete. – *30 % of grant award*
 - Occupancy permit is issued. – *10% of grant award*
 - LEED certification is received. – *Green Incentive award*

6.11: Waiting List

Construction projects that the MBLC approves for funding are placed on a Waiting List while waiting for authorization of state funds. When state authorization of funds occurs, libraries are given provisional grant awards as per 600 CMR 6.09.

- (1) through (4) The way in which the Waiting List is established and managed.