# PROGRAM NOTICE

## Massachusetts Public Library Construction Program

Issued on February 2, 2023

# GENERAL CONSTRUCTION PROJECTS

**in municipal populations of 2,500 and over**

## Application Round

February 2023-June 2024

Massachusetts Libraries

BOARD OF LIBRARY COMMISSIONERS

Commonwealth of Massachusetts Board of Library Commissioners
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# INTRODUCTION

The Massachusetts Public Library Construction Program (MPLCP) is intended to improve public library facilities throughout the Commonwealth. The program is governed by regulations 605 CMR 6.00 which were most recently revised and approved by the Board of Library Commissioners at its December 1, 2022 meeting. These regulations have been published by the Secretary of the Commonwealth and are available at https://mblc.state.ma.us/programs-and-support/construction/background.php.

This is the official Program Notice for the 2023-2024 construction grant round for public libraries serving a municipal census population of equal to or greater than 2,500 (see 605 CMR 6.02 *Definitions*: Municipal Census Population). This document outlines grant application requirements and procedures for construction projects. Applicants should not view this Program Notice as containing all necessary information and are advised to read and understand the current revision of the program regulations.

The MPLCP was established by Chapter 478 of the Acts of 1987 and has been reauthorized and funded multiple times. As of July 2022, 329 grants have been awarded totaling $477,078,641 for 231 construction projects, 98 projects for planning and design, and 24 Green Library Incentives.

All applicants and grantees will be required to meet the assurances and requirements which are detailed in the program regulations and in this Program Notice.

# ELIGIBILITY

- The grant round application must be made by a city or town unless a library corporation has been designated and empowered by prior legislative action to conduct capital projects.
- The public library for which the application is being made must have been certified, with or without a waiver of the Municipal Appropriation Requirement, by the Massachusetts Board of Library Commissioners (MBLC) individually or as part of a municipal application to receive State Aid to Public Libraries under M.G.L. c.78, 19A and 19B in FY2023. State Aid certification must be maintained from application through the MBLC construction contract end date.
- The applicant must have on file at the MBLC a library strategic plan and annual action plan for FY2025 which meets the definition in 605 CMR 6.02. If a strategic plan is not currently on file, it must be received by October 1, 2023. An action plan for FY2025 must be received by December 1, 2023.
- In a municipality with multiple independent public libraries or a main library and branches, a comprehensive town-wide or city-wide plan for library service must be submitted with or prior to the Application.
- If the applicant is a city or town with a single library facility, and it received an MPLCP or Federal Library Services and Construction Act (LSCA) Title II grant award within the preceding 30 years, it will not be eligible for this application round.
  However, if the previous project was a single purpose project as defined in prior regulations, the library is eligible to apply within the 30-year grant horizon. In the case of either a construction project or a reimbursement project, an exception may be sought if the municipality has experienced a significant unexpected increase in population since the previous project (see 605 CMR 6.05(1)(a)(8)).
- If the applicant is a city or town with multiple independent libraries or a library system with more than one location, and it received an MPLCP or Federal LSCA Title II grant award within the preceding five years, it will not be eligible for this application round. Any single library building that has received an MPLCP or Federal LSCA Title II grant award is ineligible for the 30-year grant horizon, except in the case of single purpose projects.
- Only one application will be accepted from a given municipality in this application round. In a municipality with multiple independent public libraries or with a main library and branches, the municipality will determine which library or branch may apply. A comprehensive town-wide or city-wide plan for library service must be submitted with or prior

to the Application (see 605 CMR 6.05(1)(a)(9)). Approval to apply for, accept, and expend MPLCP grant funds for a public library project by a majority of town meeting or city council prior to application is required, but may be received as late as June 16, 2024, and forwarded to the MBLC after the grant application deadline of May 31, 2024. Cities must obtain a majority vote of the city council with the approval of the mayor. In a municipality having a town council form of government, a majority vote of the town council is necessary. An official certified copy of the vote must be received at the MBLC office by 4:00 pm on June 16, 2024, in order to be eligible for this application round.

- Approval of appropriation of local funding for the Planning & Design Phase by a majority of town meeting or city council prior to application is required, but may be received as late as June 16, 2024 and forwarded to the MBLC after the grant application deadline of May 31, 2024. Cities must obtain a majority vote of the city council with the approval of the mayor. In a municipality having a town council form of government, a majority vote of the town council is necessary. An official certified copy of the vote must be received at the MBLC office by 4:00 pm on June 16, 2024 in order to be eligible for this application round.
- The library building program must use a 30-year planning horizon. This program must be prepared by the library independently by a building consultant, library staff, and /or library trustees. See 605 CMR 6.06(6)(c)(1) for details of required components.
- If considering renovating and/or expanding the existing library or an existing municipally-owned building, a conditions assessment must be completed by a building sciences firm, an engineer, or an architect hired in compliance with procurement law. This assessment must correlate with the needs in the library building program. See 605 CMR 6.06(6)(c)(3) for details of required components.
- Neither an Owner's Project Manager (OPM) nor an architect may be hired or retained for this project prior to signing a contract with the MBLC.

# TYPES OF ELIGIBLE PROJECTS

- New Construction
- Addition/Renovation
- Renovation
- Joint Public Library
- Shared Building (proportional eligibility)

# APPLICATION PROCEDURES

1. Submit a Letter of Intent for this application round as outlined in the Requirements section.
2. Attend one of the scheduled application workshops presented virtually and in-person in **May/June 2023.** Attendance is mandatory for at least one library representative and at least one municipal official. Grant application instructions will be provided at the workshops.
3. Submit completed grant application and all accompanying materials as outlined in the Requirements section by **May 31, 2024 at 4:00 pm.**
4. If town meeting, town council, or city council votes for approval to apply and approval to appropriate local funding for the Planning & Design Phase occur after the application deadline of May 31, 2024, an official certified copy of the vote must be received at the MBLC office by 4:00 pm on June 16, 2024.

# REQUIREMENTS FOR LETTER OF INTENT

1. The Letter of Intent form must be submitted through the Amplifund grant management system (https://www.gotomygrants.com/Public/Opportunities/Details/ca591b12-037c-4a68-9e2d-f5f9e02d2c01) by **April 28, 2023 at 4:00 pm.** No other means of submission is permitted. An accepted Letter of Intent is required in order to participate in this application round.
2. The Letter of Intent submission requirements include a checklist of eligibility, a brief statement of need, and a letter on official municipal letterhead signed by municipal and library officials stating support for the intention to apply.

3. If the Letter of Intent form or other documents are substantially incomplete, or if either the project or the applicant is not eligible according to 605 CMR 6.00, the applicant will be notified in writing by the Board.
4. Libraries seeking an exception to the 30-year grant horizon (see page 3) must do so prior to submitting the Letter of Intent.
5. Libraries that have had a previous project that was a single purpose project (as defined in prior regulations) are eligible to apply within the 30-year time horizon.

# REQUIREMENTS FOR APPLICATION

1. The completed grant application and all accompanying materials must be submitted through the Amplifund grant management system (https://www.gotomygrants.com/Public/Opportunities/Details/a4cd5bf8-0b2a-4ac8-8136-aebf32c10389) by **May 31, 2024 at 4:00 pm**. No other means of submission is permitted, with the exception of the mailed certified copies of municipal votes.
2. The applicant must agree to all the assurances listed in 605 CMR 6.05(2)(c).
3. As stated in 605 CMR 6.06(6)(c), the application for Small, Medium, and Large Tier Projects must include:
    a. A library building program (see 605 CMR 6.06(6)(c)(1));
    b. A detailed assessment of municipal finances per the directions and on the forms provided, including:
        i. budgetary information;
        ii. most recent capital plan;
        iii. information downloaded from the Division of Local Services' municipal visualizations and tools;
        iv. all applicable financial policies referring to maintenance or expenditure of free cash, stabilization funds, etc. and borrowing limits;
        v. funding scenarios for the library construction project;
        vi. other documents as required.
    c. If considering renovating or restoring the existing library, a condition assessment of the facility prepared by a building science firm, engineer, or architect retained through adherence to procurement law (see 605 CMR 6.06(6)(c)(3));
    d. Information about and a map showing existing and possible future library sites that can meet the criteria in 605 CMR 6.02 *Definitions:* Approved Site.
    e. For joint public library projects, applications must also include:
        i. the combined municipal census populations served by the communities to be used in the planning process;
        ii. an official Management Plan establishing governance, fiscal and personnel management policies agreed upon by the municipalities proposing the joint public library.
    f. For shared building public library projects, applications must also include:
        i. List of other departments to be housed in the shared building and a description of any overlap of services;
        ii. Estimated proportion of building's net square footage dedicated to library services;
        iii. Estimated proportion of building's net square footage allocated to shared space the library can utilize;
        iv. An official Management Plan establishing governance, fiscal and personnel management policies agreed upon by the municipality and library.
    g. For municipalities with a municipal public library and/or more than one independent public library or branch libraries only, a comprehensive town-wide or city-wide plan for

library service (see 605 CMR 6.05(1)(a)(9)), following the guidelines provided in the application.

h. For all applicants, a certified copy of the municipal vote to apply, accept, and expend State grant funds and a certified copy of the municipal vote to appropriate local funding of $150,000 for the Planning and Design Phase must be received at the MBLC office by 4:00pm on June 16, 2024.

# SELECTION PROCEDURES

## PLANNING AND DESIGN PHASE

1. All applications will be reviewed and ranked by a team of independent reviewers, including:
    a. A librarian who has been through the MPLCP process;
    b. A current or former municipal official with experience in municipal finance;
    c. A construction professional with experience in public buildings.
    d. An MBLC staff member not involved in the MPLCP

    A site visit of the existing facility and proposed sites by at least one review team member will be part of the review process. (see 605 CMR 6.07(2)).
2. Applications will be reviewed for compliance with the requirements and evaluative criteria set forth below. Applications will be reviewed, ranked, and recommended for funding based on the following evaluative criteria:
    a. Documentation of the need for the project, including a description of present conditions and how they negatively impact library services;
    b. Need factor as determined by using 2023 State Equalized Evaluation (EQV)* and 2023 Department of Revenue income figures;
    c. Evidence that the Applicant is able to support the proposed program of library service;
    d. Evidence that existing facility conditions are not the result of an inadequate maintenance program, including ongoing problems related to building security, patron and staff safety, appearance, site conditions, and building mechanical, and structural elements;
    e. Compliance with the requirements and guidelines outlined in the Program Notice;
    f. Notes and explanations for special conditions pertaining to the project or the municipality;
    g. The extent to which the Library Building Program is based upon the library's strategic plan and/or the municipal strategic plan and capital plan, and has involved the efforts of and input from library staff, library trustees, library users, municipal staff, elected officials, and other community representatives;
    h. The extent to which the Library Building Program addresses the impediment of service experienced in the current facility and the ability to flexibly serve the community for at least 30 years;
    i. Demonstrated community readiness and support for a major capital project;
    j. Evidence of the financial capacity to fund a major capital project;
    k. Feasibility of proposed sites to support the Library Building Program;
3. The following priorities will be used by the MBLC Executive Director in determining recommendations to the MBLC Board:
    a. The review and ranking of applications by independent reviewers (see 605 CMR 6.07);
    b. The distribution by community size of projects recommended for funding in relation to the distribution

by community size of all projects reviewed for this application round;
   c. Receipt of applications for joint library projects, which are given higher priority;
   d. The availability of funds.
4. Those projects recommended for funding for the Planning and Design Phase will receive a provisional grant award pending confirmation of local funding (see 6.05 CMR 6.02 *Definitions*: Certification of Funds).
5. Those projects not recommended for Planning and Design Phase funding will receive specific feedback and will be invited to submit in a future application round.

### CONSTRUCTION PHASE

1. Those projects that have successfully completed the Planning and Design Phase and independent design review process will either receive a provisional grant award for the Construction Phase pending confirmation of local funding (see 6.05 CMR 6.02 *Definitions*: Certification of Funds) within six (6) months of the MBLC vote or be placed on a waiting list if state funds are not yet authorized.
2. Those projects that do not successfully pass the independent design review at the close of the Planning and Design Phase will receive specific feedback and will be invited to re-submit designs within two (2) months of rejection. If projects fail to pass at the time of resubmission, they will receive further feedback and be invited to submit a new application in a future grant round.

## MPLCP LEVEL OF DESIGN

During the Planning and Design Phase, drawings and other documents illustrating the general scope, scale, and relationship of project components and based on requirements developed under previous phases, or on program requirements as mandated in this Program Notice, are developed. For the purpose of this grant program, MPLCP Level of Design (see 605 CMR 6.08(2)(a)) must be based on a library building program that contains the elements mandated in 605 CMR 6.06(6)(c)(1).

## DESIGN EVALUATION

A team of at least three independent reviewers will evaluate the MPLCP Level of Design for each project using the Design Guidelines in this Program Notice. The team of independent reviewers will include:

1. A librarian who has been through the MPLCP process;
2. A construction professional with experience in public buildings;
3. An architect not affiliated with any project in the grant round.

## FUNDING FORMULAS

The funding formula for the Planning and Design Phase as specified in this Program Notice will be applied to projects in each tier (see 605 CMR 6.02 Definitions: Large Library Tier, Medium Library Tier, Small Library Tier), with awards not exceeding $100,000. The funding formula for the Construction Phase as specified in this Program Notice will be applied to the estimated eligible cost associated with the MPLCP Level of Design to determine the provisional award for each project.

All awards are based on eligible project costs (see 605 CMR 6.02 Definitions: Eligible Costs). The award for each project recommended for funding will be determined according to the following formulas:

1. Planning and Design Phase (See 605 CMR 6.02 *Definitions*: Large Library Tier, Medium Library Tier, Small Library Tier)

| Planning and Design | Percentage State Share |
|---|---|
| Small, Medium, and Large Tiers | 50% of eligible cost, up to $100,000 maximum award |

2. Construction Phase for a Public Library Project in a Single Municipality

| Eligible Cost | Incremental State Share |
|---|---|
| First $5,000,000 | 60% of estimated eligible cost up to $5,000,000 |
| $5,000,000 - $10,000,000 | 45% of estimated eligible cost between $5,000,000 and $10,000,000 |
| $10,000,000 - $20,000,000 | 35% of estimated eligible cost between $10,000,000 and $20,000,000 |
| $20,000,000 - $50,000,000 | 30% of estimated eligible cost between $20,000,000 and $50,000,000 |

3. Construction Phase for a Joint Public Library Project (see 605 CMR 6.02 *Definitions* Joint Public Library)

| Eligible Cost | Percentage State Share |
|---|---|
| $0 - $50,000,000 | 70% of estimated eligible cost |

4. Construction Phase for a Shared Building (see 605 CMR 6.02 *Definitions* Shared Building). Eligible cost will be calculated using the formulas for Large, Medium, and Small Tiers above for the library portion of the building only (see 605 CMR 6.02 *Definitions* Proportional Project Cost)
5. Community Economic Need Factor (all applicants)
    a. A need factor as determined by using 2023 State Equalized Evaluation (EQV)* and 2023 Department of Revenue income figures is applied to every municipality in the state. This program uses a range of 0 % to 20.0 % as a need factor.
    b. The need factor, in addition to its inclusion in the evaluative criteria of the application, is added to the base award for a construction project for every municipality.
    c. The total award, including all incentives and need factor increases, may not exceed 75% of the estimated eligible costs of the project.

*The Massachusetts Department of Revenue [https://www.mass.gov/service-details/equalized-valuations-eqv] website defines Equalized Valuations (EQV) as "the determination of an estimate of the **full and fair cash value** of all property in the Commonwealth as of a certain taxable date." Each municipality's EQV is determined biennially by the Commissioner of Revenue.

# GREEN LIBRARY INCENTIVE

An applicant may qualify for a MPLCP Green Library Incentive (GLI) and receive an additional 3% of its total construction grant award intended to offset the costs associated with aspects of sustainable and resilient design as specified in 605 CMR 6.07 (5)(f). *See* 605 CMR 6.02: *Definitions* Sustainable and Resilient Design. The GLI is based on the total grant award that includes the 2023-24 application round's economic need factor. The minimum GLI will be $100,000 and the maximum will be $500,000. The total award, including all incentives and need factor increases, may not exceed 75% of the estimated eligible costs of the project.

The Green Library Incentive applies to a project that:

1. Documents in the library building program the intent to build a sustainable and energy efficient facility;
2. At the time of application, indicates its plan to build to at least one of three standards:
    a. Massachusetts Municipal Opt-in Specialized Code (see https://www.mass.gov/info-details/stretch-energy-code-development-2022)
    b. LEED Gold or Platinum status (see https://www.usgbc.org/leed)
    c. Zero Energy certification (see https://living-future.org/zero-energy);

3. Receives an MPLCP Construction Phase grant award;
4. Certifies in writing that the building is being designed in accordance with (and registered where applicable) for Massachusetts Municipal Opt-in Specialized Code, LEED Gold or Platinum status, and/or Zero Energy certification prior to or at the beginning of the design development stage;
5. Submits official verification by the municipal building inspector that the project achieves the requirements for Massachusetts Municipal Opt-in Specialized Code, and/or submits official LEED Gold or Platinum status certification and/or Zero Energy status certification to the Board within two years of the date of final Certificate of Occupancy.

The Green Library Incentive must be used to offset the library's project costs or other features that enhance the operation and maintenance the library.

# AWARDS

Recommendations will be considered by the Board of Library Commissioners at its regular monthly meeting in October 2024 for Planning and Design Phase awards and in December 2025 for Construction Phase awards.

# GRANT DISBURSEMENTS

All required documentation must be submitted through the Amplifund grant management system.

## PLANNING AND DESIGN PHASE

1. An initial payment of $50,000 will be made when the following conditions are met:
    a. All application requirements are satisfied;
    b. A Planning and Design grant contract and agreement with the Board is executed;
    c. A contract has been executed for Owner's Project Management services and a copy is submitted to the Board.
2. A final payment of the balance of 50% of eligible cost, not to exceed $50,000, will be made when the Applicant completes the planning and design phase and provides all required MPLCP Level of Design documentation.

## CONSTRUCTION PHASE

1. An initial payment of 10%* will be made upon execution of a Construction grant agreement with the Board;
2. An additional payment of 20%* will be made in the fiscal year after the initial payment but only when Board staff accepts final construction documents;
3. An additional payment of 25%* will be made in the fiscal year after the project plans and specifications are accepted by Board staff but only when the Grantee provides copies of the following documents:
    a. Advertisement to bid and bid documents;
    b. Department of Capital Asset Management and Maintenance (DCAMM) ratings for the last five years for the top three general contractors bidding on the project;
    c. Signed contract with a general contractor;
    d. Building permit.
4. An additional payment of 25%* will be made in the fiscal year after issuance of a building permit but only when the following conditions are met:
    a. The Grantee provides a copy of the final Certificate of Occupancy;
    b. The library opens to the public for regular library services.

5. An additional payment of 20%* will be made in the fiscal year after the building is open to the public for regular library services but only when the Grantee provides copies of the following documents:
    a. An official letter from the Grantee certifying that the construction contracts are complete and no outstanding claims remain;
    b. Completed Final Report;
    c. As-built drawings.

*Milestone percentage payments are subject to the MBLC's annual capital appropriation as determined by the Governor's Office of Administration and Finance.

# DESIGN GUIDELINES

1. *Library Space* Design Guidelines. Reviewers will use these guidelines in evaluating the MPLCP Level of Design:
    a. Functionality
        i. Adjacencies for workflow and user experience are adequate to optimal;
        ii. Any existing structure's use is purposeful and serves a community need;
        iii. Interior spaces are adequate to optimal for serving intended purpose;
        iv. Service points are positioned for optimal sightlines and access;
        v. Service points have adequate storage and accommodate the staffing and service models;
        vi. Staff offices accommodate the staffing and service models;
        vii. Acoustical separation is optimized;
        viii. Storage is adequate to optimal;
        ix. Navigation throughout building is intuitive;
        x. Electricity is available at all seating locations;
        xi. Data is available at all locations housing technology;
        xii. All bathrooms have floor drains, changing stations, and are gender inclusive;
        xiii. Cultural inclusivity and community representation are incorporated into the design and signage;
        xiv. Parking supports the least path of resistance and reduces barriers to access;
        xv. ADA and AAB regulations are not merely just met; accessibility is optimized;
        xvi. The site is suitable and convenient.
    b. Efficiency;
        i. Solar ready;
        ii. Mechanicals are all-electric or can easily transition to all-electric;
        iii. Siting of new construction allows for passive energy optimization;
        iv. Daylighting used effectively;
        v. All LED interior and exterior lighting;
        vi. Manageable landscaping for drought conditions;
        vii. Lifecycle costs have been evaluated and optimized;
        viii. Routes of circulation are logical, and paths of least resistance exist where possible;
        ix. Little to no dead space in design.
    c. Flexibility
        i. Fixed elements (elevators, stairs, restrooms, etc.) are on perimeter;
        ii. Millwork and casework are minimal and necessary;
        iii. Modular service desks;
        iv. Mobile technology;
        v. Mobile shelving where appropriate;
        vi. Self-service options optimized;

vii. Pandemic-related design elements incorporated where possible (outdoor programming, contactless service solutions, storage capacity, etc.);
viii. After-hours lock off for program/meeting room without need for staff oversight;
ix. Elements that hinder re-arrangement of spaces minimized or eliminated;
x. The overall design allows for changing needs over the next thirty years;
xi. Adequate to optimal electrical outlets and data throughout the building.

d. Durability
i. Site optimizes resiliency, or necessary steps will be taken to bolster resiliency;
ii. Materials and equipment have been chosen for optimal lifecycle costs;
iii. Materials are durable and appropriate for a public building.

e. Equity
i. The design aligns with the DEI priorities outlined in the building program.

2. Sustainable and Resilient Design Guidelines
Resilient design will be informed by the Climate Resilience Design Standards & Guidelines published by the Massachusetts Emergency Management Agency and the Executive Office of Energy and Environmental Affairs. Grantees may use the Climate Resilience Design Standards Tool from the Resilient MA Action Team (RMAT) (https://resilientma.mass.gov/rmat_home/designstandards) and the Renewable Energy Integration and Optimization (ReOPT) tool from National Renewable Energy Laboratory (NREL) (https://reopt.nrel.gov).

3. Other program and/or square footage use and cost standards may be developed by the MBLC and the Division of Capital Planning and Operations.