

**22****COMMUNITY
MITIGATION
FUND**

___ check if joint application

APPENDIX F - 2022 Community Planning Grant Application**BD-22-1068-1068C-1068L-68403*****Please complete entire the Application*****1. PROJECT INFORMATION****a) NAME OF MUNICIPALITY/GOVERNMENT ENTITY/DISTRICT AND VENDOR CODE**

City of Malden

VENDOR CODE: VC 6000192110**b) PROJECT NAME (LIMIT 10 WORDS)**

Malden District Courthouse Reuse Study and Operator RFP

c) BRIEF PROJECT DESCRIPTION (LIMIT 50 WORDS)

The City of Malden is working to purchase the old Malden District Courthouse and convert it into the Malden Center for Arts & Culture. The proposed Reuse Study will produce a comprehensive report that will help determine the most appropriate and financially feasible mix of arts and cultural uses.

d) CONTACT PERSON(S)/TITLE (Persons with responsibility for this grant)

Dan Grover, Treasurer, responsible for handling of funds
Deborah Burke, Director, Office of Strategic Planning and Community Development (OSPCD)
Evan Spetrini, Senior Planner & Policy Manager, OSPCD
(Ms. Burke & Mr. Spetrini will be the day-to-day points of contact on this project).

e) PHONE # AND EMAIL ADDRESS OF CONTACT PERSON(S)

Dan Grover: dgrover@cityofmalden.org; 781-397-7090
Deborah Burke: dburke@cityofmalden.org; 781-324-5720 ext. 5725
Evan Spetrini: espetrini@cityofmalden.org; 781-324-5720 ext. 5736

f) MAILING ADDRESS OF CONTACT PERSON(S)

Malden City Hall
215 Pleasant Street, 3rd Floor
Malden MA 02148

2. IMPACT DESCRIPTION/CONNECTION TO GAMING FACILITY**a) Please describe in detail the impact that is attributed to the operation of a gaming facility.**

The City of Malden, which has a surrounding community agreement with Wynn, MA LLC, is requesting \$100,000 to complete a Reuse Study for the proposed redevelopment of the Malden District Court building – transforming it into a vibrant arts center that will serve the community and the region. Encore Boston Harbor is a regional entertainment destination and its success has had a negative impact on Malden's efforts to support its own 'Gaming District' in Malden Center. Recently opened 'gaming' facilities include escape rooms, e-sport gaming, table-top gaming, billiards, and questing, all of which have contributed greatly to the vibrancy of Malden Center and have attracted many new restaurants and businesses to the area. Additionally, larger entertainment venues, like Encore, have been better equipped to weather the COVID-19 pandemic, while many small businesses have been forced out to close. With public backing, the Malden Center for Arts & Culture seeks to fill the gaps left by those closures and be a sustainable anchor institution for downtown Malden. Visitors will also patronize our restaurants and gaming facilities, contributing to the success and vitality of Malden Center.

b) Please provide documentation, specificity or evidence that gives support for the determination that the operation of the gaming facility caused or is causing the impact (i.e. surveys, data, reports).

At this point it is difficult to quantify the impact of the casino on the gaming and entertainment businesses in Malden Center given that most of them have been unable to operate at full capacity over the past two years due to the COVID-19 pandemic. However, with 8 million visitors to Encore expected annually, Malden's Gaming District is at a severe disadvantage in attracting visitors. With the addition of a strong cultural anchor institution, we can create more events that have crossover appeal, bolstering Malden Center's image as an entertainment destination. Below are some press articles about the Gaming District:

WCVB Chronicle Story on Gaming District

<https://www.wcvb.com/article/the-growing-gaming-district/30522227>

The City of Malden is leveling up its downtown: "Gaming District" is developing around the Malden Center T stop: Boston Magazine August 2019

<https://www.bostonmagazine.com/restaurants/2019/08/06/bit-bar-malden/>

Attention, Questers: Boda Borg Boston Is about to Get a Whole Lot Bigger: Boston Magazine November 2019

<https://www.bostonmagazine.com/arts-entertainment/2019/11/21/boda-borg-boston-expansion/>

In Malden, Fun and games are Big Business: Boston Globe Business Section October 16th

<https://www.bostonglobe.com/business/2019/10/15/malden-fun-and-games-are-big-business/mB2eVk89Hk6gayxzo2fZoO/story.html?event=event12>

Bit Bar will bring booze and arcade games to Malden later this year: Boston.com August 2019

<https://www.boston.com/food/restaurants/2019/08/07/bit-bar-opening-in-malden>

In Malden, He Runs the Tables: Boston Globe Front Page November 7th

<https://www.bostonglobe.com/metro/2019/11/06/malden-billiards-champion-and-his-pool-hall-rack-fervent-following/bp9zBb561KyEmPx12Rc7sM/story.html?event=event12>

c) How do you anticipate your proposed remedy will address the identified impact.

Malden's new Arts Center will cement Malden Center as a regional destination for entertainment, dining, and gaming, providing a family-friendly alternative to the casino. This new anchor institution will have a ripple effect throughout the district, attracting new visitors and encouraging them to patronize Malden's shops and restaurants. The proposed study is the next step to making that vision a reality.

3. PROPOSED USE OF COMMUNITY PLANNING FUNDS (Please attach additional sheets/supplemental materials if necessary.)

a) Please identify the amount of funding requested. In determining the funding request, please round up to the nearest hundred dollars.

The City of Malden is requesting \$100,000 to complete the Malden District Courthouse Reuse Study and develop an RFP to select a third-party Operator to manage the building. The Reuse Study will cost an estimated \$83,500 and the remaining \$16,500 would be allocated towards hiring a consultant to develop the Operator RFP.

b) Please identify below the manner in which the funds are proposed to be used. Please provide a detailed scope, budget and timetable for the use of funds.

The City of Malden is working with the Malden Legislative Delegation to file legislation designating the Malden District Courthouse, located at 89 Summer Street, as surplus property and directing its transfer from the Commonwealth to the City. After a restricted-use appraisal of the property, the Division of Capital Asset Management and Maintenance (DCAMM) has set the purchase price of the building at \$480,000. The legislation, which is attached to this application, has been filed in the House and has been referred to committee.

Concurrently, the City is developing a concept plan for the courthouse redevelopment with assistance from the Metropolitan Area Planning Council (MAPC), Boston Society for Architecture (BSA), UX Architecture Studio, and Silverman Trykowski Associates. The City established a resident-led Steering Committee to guide the planning process that includes a diverse representation of cultural organizations and artistic disciplines in addition to City leaders. The full plan will identify the uses and users of the space, develop a concept design for renovations, build a sustainable operational model, and identify funding sources for construction and operations. In partnership with the Steering Committee, the project will identify the uses and users through an extensive community engagement process to understand the desires of the community in terms of arts consumption and the space needs of cultural producers. The concept plan will include high level concept designs and operational models but more existing conditions analyses and market studies are needed to fully understand the feasibility of the project and guide the development of a Request for Proposals (RFP) to select a third-party Operator to manage the building and its programming.

The proposed study includes a multi-disciplinary team led by UX and STA architects. This team will include the following sub-consultants: Structural Engineer; MEP+FP Engineer; Code Consultant; Cost Estimator; and a Retail Development/Neighborhood Strategy Consultant or other specialty consultant. The final report produced by this team will include information on the condition of the structure and the building's systems, adherence to applicable building codes and regulations, a summary of the Steering Committee's community outreach and findings, and the potential implementation strategies and financial models associated with required upgrades and proposed design scenarios.

Reuse Study

The scope of services will be provided as two concurrent phases over 6-8 weeks: Building Assessment and Reuse Scenarios.

Phase 1: Building Assessment

The study team will thoroughly review, assess, and document the site and the existing facilities. Our analysis will include building measurements and documentation, a code review of the building's existing conditions, an assessment of the building's maintenance history, and an evaluation of the building's structural and MEP+FP systems. The following services will be included as part of this assessment:

- Tour the existing site; obtain any existing conditions drawings of the building
- Field verify and photo document existing conditions of the building

- Using 3D point cloud scanning, gather accurate information of both the interior and exterior of the building and site
- Provide a comprehensive code report
- Review zoning ordinances and historic regulations for the building
- Prepare a property condition assessment, including engineering systems analysis and building infrastructure condition
- Prepare a preliminary hazardous materials review of the existing building
- Provide a cost analysis of required upgrades or repairs
- Assess the neighborhood context, such access to public transportation, traffic conditions or impacts, and surrounding commercial or public development relevant to the project site

Phase 2: Reuse Scenarios

Informed by the Steering Committee's community outreach and its findings, the design team will study two development scenarios: 1) A minimal investment to upgrade the building as needed to meet code requirements for structure, energy, and accessibility and to meet programmatic requirements with minimal demolition and renovation; and 2) an optimal design that provides an elegant solution for new uses and accessibility into the building. The development scenarios will include a detailed cost estimate of each intervention. The following services will be included as part of this phase of work:

- Collaborate closely with the City of Malden and the MAPC and project stakeholders to establish project priorities and goals
- Identify key opportunities that connect programming efforts with the assessment findings
- Investigate and develop multiple design options and provide assessment of impact on the building's existing systems and structure
- Develop strategies and concept design options for implementing universal design throughout
- Create initial block plans, identifying options for program space allocation
- Develop a concept design that provides a clear vision for the future design and planning phases of the project
- Prepare noted plans identifying scope of work for each scenario.
- Provide a detailed cost estimate for each scenario
- Evaluate potential operating costs and business models
- Prepare a comprehensive report documenting all existing conditions information, required infrastructure changes, challenges and opportunities, and recommendations for the next phase of design and planning.

Operator RFP

The City intends to retain ownership of the building and contract with a third-party non-profit Operator to manage the building and its programming. The Community Planning Grant will be used to hire a consultant to help the City craft the criteria of the RFP based on the findings of the Concept Plan and Reuse Study. The consultant's responsibilities will include, working with stakeholders, some community process, writing the

document, and advising community on negotiation strategy. After consulting with Kathryn Madden, a planner at the Cambridge Redevelopment Authority who managed a similar process for the Foundry project in Cambridge, we estimate the fee for such a consultant will be \$20,000-\$25,000. This process will take roughly 3-4 months, including the time that the RFP is open for bids.

c) Please provide documentation (e.g. - invoices, proposals, estimates, etc.) adequate for the Commission to ensure that the funds will be used for the cost of planning to mitigate the impact.

Attached is a formal estimate for the Reuse Study by UX Architecture Studio and Silverman Trykowski Associates in the amount of \$83,500. The sub-consultant fees are estimates based on the architects' expertise but are subject to change following formal quotes from those sub-consultants. We do not currently have a formal scope or cost proposal for the RFP consultant but have consulted with professionals to estimate the \$20,000-\$25,000 fee.

d) Please describe how the planning request will address the impact indicated. Please attach additional sheets/supplemental materials if necessary.

The Reuse Study and Operator RFP development are the crucial next steps in making this project a reality. The Reuse Study will further our understanding of what kinds of uses are possible given the building's physical constraints and the need to develop a sustainable operational model. This information is needed to develop an RFP that reflects the programmatic desires of the City and community, while providing realistic guidelines for respondents to make well-reasoned and thoughtful proposals. The City will then work with the selected Operator to carry out a design process for building renovations based on the Operator's successful proposal.

e) For joint grant requests, please state the amount requested for the joint request. Please also state the amount of any Regional Planning Incentive Award requested and provide separate detail on the use of these additional funds.

N/A

4. CONSULTATION WITH REGIONAL PLANNING AGENCY (RPA)/NEARBY COMMUNITIES

a) Please provide details about the Applicant's consultation with the Regional Planning Agency serving the community and nearby communities to determine the potential for cooperative regional efforts regarding planning activities.

The City of Malden is currently working with MAPC to develop a Concept Plan for building. In addition to advancing local community and economic development goals, this project will advance MAPC's MetroFuture goal #43: "More people will take advantage of the region's artistic and cultural resources" and the following MetroFuture strategies: fostering urban vitality through support for arts districts; supporting arts and culture as a way to build community and civic engagement; and supporting small businesses and entrepreneurs.

5. MATCHING FUNDS FROM GOVERNMENTAL OR OTHER ENTITY

- a) Please demonstrate that the governmental or other entity will provide significant funding to match or partially match the assistance required from the Community Mitigation Fund.

The City of Malden is currently working with the Malden Legislative Delegation to file legislation designating the Malden Courthouse as surplus property and directing the transfer of it from the Commonwealth to the City. This 36,500sf building with more than sixty parking spaces will be used by the city for the purpose of establishing the Malden Center for Arts & Culture to the exclusion of other uses. The Department of Capital Asset Management and Maintenance (DCAMM) completed an appraisal of the property in October 2021, which set the acquisition price at \$480,000. The City has agreed to purchase the property at that price and will proceed with the acquisition once the legislation passes.

- b) Please provide detail on what your community will contribute to the planning projects such as in-kind services or planning funds.

OSPCD Senior Planner and Strategy and Business Development Officer will provide in-kind services as project managers. They will support the consultant by coordinating meetings, introducing stakeholders, and providing data as needed. The City will make available staff assistance from all municipal departments as needed, including Planning and Inspectional Services.

6. RELEVANT EXCERPTS FROM HOST OR SURROUNDING COMMUNITY AGREEMENTS AND MASSACHUSETTS ENVIRONMENTAL POLICY ACT (MEPA") DECISION

- a) Please describe and include excerpts regarding the impact and potential mitigation from any relevant sections of the community's Host or Surrounding Community Agreement.

Malden's Surrounding Community Agreement notes that:

"Malden believes that the Project will bring economic development to Malden, create new jobs for Malden residents and new sources of revenue for the Malden business community, and as such, Malden desires to enter into this Agreement with Wynn to address the anticipated impact on Malden businesses, residents, infrastructure, public safety, transportation and roadway needs.... Wynn desires to mitigate any adverse impacts from the development and operation of the Project through the means described herein in accordance with the Act, and Malden desires to mitigate any anticipated adverse impacts from the development and operation of the Project"

Malden has worked tirelessly to encourage residents and visitors to the Greater Boston area to come to Malden. Malden has steadily increased the number of restaurants that constitute our diverse dining scene and embarked on a branding effort to label Malden as the Gaming District of Boston. The 'Gaming' has included such entities as escape rooms, e-sport gaming, table-top gaming, billiards, and questing, however, when it comes to the term 'gaming' most customers still think of the gaming tables at the EBH. With the addition of the opportunities for live entertainment, e.g., plays, comedy shows, workshops, adult education classes, Malden has the chance to diversify the customer base to expose more people to the dining and entertainment options that Malden can offer.

- b) Where applicable, please also briefly summarize and/or provide page references to the most relevant language included in the most relevant MEPA certificate(s) or comment(s) submitted by the community to MEPA.

N/A

- c) Please explain how this impact was either anticipated or not anticipated in that Agreement or such MEPA decision.

The Surrounding Community Agreement did not anticipate the negative impacts of the casino on Malden's entertainment and restaurant businesses. This new arts center will help cement Malden Center as an entertainment destination that can compete with and compliment Encore Boston Harbor.

- d) If planning funds are sought for mitigation not required under MEPA, please provide justification why funding should be utilized to plan for such mitigation.

N/A

7. INTERNAL CONTROLS/ADMINISTRATION OF FUNDS

- a) Please provide detail regarding the controls that will be used to ensure that funds will only be used to address the impact.

The City of Malden will document all mitigation funds received to ensure that these funds are spent for the above-stated purpose.

- b) Will any nongovernmental entity receive funds? If so, please describe. If non-governmental entities will receive any funds, please describe what reporting will be required and how the applicant will remedy any misuse of funds.

N/A

**NO COMMUNITY IS ELIGIBLE FOR MORE THAN ONE COMMUNITY PLANNING
REGIONAL PLANNING INCENTIVE AWARD.**

8. CERTIFICATION BY MUNICIPALITY/GOVERNMENTAL ENTITY

On behalf of the aforementioned municipality/governmental entity I hereby certify that the funds that are requested in this application will be used solely for the purposes articulated in this Application.

By:



Signature of Responsible Municipal
Official/Governmental Entity

Date: 1/31/22

Gary Christenson
(print name)

Mayor

Title:



Malden Center for Arts & Culture Concept Plan

November 1, 2021

Project Summary

The City of Malden is currently working with the Malden Legislative Delegation to file legislation designating the Malden District Courthouse, located at 89 Summer Street, as surplus property and directing its transfer from the Commonwealth to the City. After a restricted-use appraisal of the property, the Division of Capital Asset Management and Maintenance (DCAMM) has set the purchase price of the building at \$480,000. Our goal is to convert the courthouse into the Malden Center for Arts & Culture. In addition to completing the transfer of property, the City is developing a concept plan for the arts center, starting with the establishment of a Steering Committee that will guide the planning process. The thirteen-member Steering Committee includes a diverse representation of cultural organizations and artistic disciplines in addition to City leaders.

To complete this plan, the City must resolve questions regarding the program, design, and operations of the arts center. The full plan will identify the uses and users of the space, develop a concept design for renovations, build a sustainable operational model, and identify funding sources for construction and operations. In partnership with the Steering Committee, the project will identify the uses and users through an extensive community engagement process to understand the desires of the community in terms of arts consumption and the space needs of cultural producers. Coupled with an architectural feasibility analysis, the project will assess the types of spaces are appropriate for the building and what uses can be accommodated. Research into successful examples of arts and culture centers that include the uses desired by the Steering Committee and broader community will inform a business model for operation of the building as a center for arts and culture.

This project will benefit from participation in the Boston Society for Architecture (BSA) Community and Collaborative Design Program, which will connect the City of Malden with the design expertise needed to support the project. MAPC will provide technical assistance on community engagement to identify the uses and users of the arts center, conduct research into operational models of similar spaces, and identify potential funding or revenue sources for construction and operations. The arts community in Malden has been advocating for such a space for the last few years. This project will build off those conversations and begin new ones to make this vision a reality. MAPC's Creative Placemaking on the Malden River continued that work, calling for more public-private partnerships with arts and cultural organizations.



Deliverables

The project will result in a Concept Plan for a Malden Center for Arts & Culture at the Malden District Courthouse, located at 89 Summer Street. This plan will articulate the vision of the building as a center for arts and culture as well as the values guiding the program and operational model for the space. In addition, the plan will identify the likely users of the space and a proposed program of uses based on feedback collected from the Steering Committee and broader community engagement. Finally, the plan will include a proposed business model based on research on similar spaces and one or more design schemes for adapting the building to accommodate the proposed uses.

The duration of this project will be ten months, from August 2021 through May 2022.

Project Area Context

Demographics.

Malden is a growing city that is home to estimated 67,800 residents, an increase of 9% from 2000. As the city's population has increased, so too has the racial diversity of its residents. Between 2008-2012 the city passed a milestone, shifting from having a population where the majority of people identify as White, to a population where the majority of people identify as non-White. After witnessing a 14.2% decline in its White population between 2000 and 2010 and a 7.1% increase in its African American population in that time frame, in 2018, Malden was similar to its cohort of Metropolitan Core Communities in terms of its share of White and African American populations.

While Malden may have a similar share of people who identify as White and African American as other Metropolitan Core Communities, Malden's share of Asian-identifying people (23.37%) is more than double the share of Asian-identifying populations in other Metropolitan Area Core Communities (10.43%). Between 2000 and 2010, the population identifying as Asian increased by 7.1%. According to the 2014-2018 American Community Survey, Malden has the fifth highest share of Asian populations in any municipality in the Commonwealth of Massachusetts.

Language

Malden has a diverse population as evidenced by the 63 languages that are spoken at Malden High School. As of 2017, 43.3% of Malden residents were born outside the US. Malden has the highest percentage of Asian people who do not speak English well (56.39%) compared to other Metropolitan Area Communities with a high share of population of Asian people. These communities include Lowell (whose population is 23.06% Asian, of whom 42.53% do not speak English well), and Quincy (whose population is 31.13% Asian, of whom 55.48% do not speak English well). The language gap in Malden is evident across the city's diverse linguistic groups, and is indicated most acutely within its Asian population.



Income

Malden exhibits greater income equality than comparable Metropolitan Core Communities generally. Across racial and ethnic groups, the majority of residents earn less than \$100,000 annually while residents are no more likely to live in poverty than in other similar communities. According to the 2014-2018 American Community Survey, per capita income in Malden is \$31,086, which is \$10,000 lower than the state median. However, the percentage of Malden households that live in poverty (17.67%) is roughly the same as the percentage of people who live in poverty in other Metropolitan Core Communities (17.68%).

Malden may have more income equality generally, but differences persist among racial and ethnic categories. Residents who identify as Asian and African American are more likely to earn less than \$100,000 than White residents, while residents who identify as Latino are more likely than White residents to earn more than \$100,000. 71.7% of all White households earn less than \$100,000 a year, constituting a larger share than comparable White households in other Metropolitan Core Communities (59.23%), and across the MAPC region (53.58%). It is notable that a smaller share of African American residents in Malden earn less than \$100K (76.04%) compared with similar households in the MAPC region as a whole (77.6%), while a higher share of Malden's Asian residents earn incomes less than \$100,000 (73.2%) compared with others in the region as a whole (54.78%). A greater share of the Latino population earns less than \$100,000 in the region (78.19%) than in Malden (70.52%).

Transportation assets.

Malden's extensive public transit service with connections to bus, subway, and commuter rail, as well as its extensive sidewalk network that connects to commercial centers make it a pedestrian friendly environment with a Walk Score of 97.

Malden's public transit network features both the Haverhill Commuter Rail Line and two stops on the MBTA Orange Line as well as numerous bus routes. The Malden Center Station is a multi-modal hub with access to the Commuter Rail and the Orange Line, as well as 13 bus routes that stretch in every direction from the city center. Malden Center links to the Oak Grove Orange Line station to the north, and it is the city's only access point to the Commuter Rail.

Malden residents' nearest access to Interstate 93 is in Medford, a mile from Malden's westerly border. Malden residents may access ramps to Route 1 via Salem Street along the city's northeast boundary.

Malden boasts one separated bike path, the Northern Strand Community Trail, which is located on the old Saugus Branch Railroad line. This path travels north from Everett, then east through Malden, then north into Saugus, and east again to downtown Lynn. When complete in 2024, the path will offer a contiguous 20-mile journey from Everett to the ocean in Lynn. A second dedicated path, the Spot Pond Brook Greenway, which will connect to the Mystic Highlands path,



is currently being planned to connect the Northern Strand Community Trail to municipalities to the north in Melrose, Wakefield, and Lynnfield.

Cultural Assets

Malden has fewer cultural facilities than its surrounding communities. Somerville hosts the Somerville and Davis Square Theaters, Medford has The Chevalier Theater, the Greater Boston Stage Company is in Stoneham, and Chelsea has the Chelsea Theater Works. Malden does not have a comparable space that serves as a dedicated theater for performance art.

Venues for live performance in Malden include the Malden Senior Center, the Malden High School, the Beebe School auditorium, and the new outdoor City Hall plaza that was completed in 2020. Malden is also home to numerous smaller organizations that offer creative cultural movement programming such as three martial arts academies, four dance studios, a YMCA (in a converted historic armory building), and a YWCA. Sum Studios provides music practice and recording studio space. The City is also home to a variety of cultural organizations such as the Chinese Culture Connection and language schools like The Immigrant Learning Center that function as informal spaces of cultural exchange. Additionally, Malden hosts an emerging “Gaming District” downtown with businesses such as Boda Borg, Wanyoo E-Sports Center, and New England Comics.¹

Project Partners

The City of Malden will lead coordination of the project team and facilitation of the Malden Center for Arts & Culture Steering Committee throughout the project. Evan Spetrini, Senior Planner for the City of Malden will serve as the lead contact on this project on behalf of the City. The City will coordinate access to the Courthouse and related parcels for research and engagement activities and will ensure coordination of all project elements.

The Boston Society for Architecture (BSA) will facilitate the project’s participation in the BSA Community + Collaborative Design program by coordinating access to design teams. Ben Peterson, Community Design Director for BSA, will be the lead project contact on behalf of BSA.

UX Architecture Studio (UX), represented by Susi Sanchez, Principal, and *Silverman Trykowski Associates (STA)*, represented by David Silverman, Principal, will serve as the design team consultants. The design teams will provide an analysis of existing building conditions, identifying challenges and opportunities; synthesize community input gathered through the MAPC-led engagement strategy; and propose potential design options that reflect the vision for the future uses of the building guided by the project Steering Committee.

¹ <https://www.wcvb.com/article/the-growing-gaming-district/30522227>



The Metropolitan Area Planning Council (MAPC) will lead the research and engagement efforts for the project. This includes engagement and outreach to identify potential users and uses for the arts center and research into successful operational models for similar types of arts centers in other communities. MAPC will facilitate at least three Steering Committee meetings to establish a vision for the new center, identify and refine project values, and determine an outreach and engagement strategy. Additionally, MAPC will research potential funding sources to support the project. Annis Sengupta, Director of Arts & Culture, will serve as the project manager for MAPC with support from Claudia Zarazua, Regional Arts & Culture Planner II, Emma Boast, Regional Arts & Culture Planner, and Iolando Spinola, Community Engagement Specialist II.

Working Group Roles and Responsibilities. The Malden Center for Arts & Culture Steering Committee will serve as the project working group. The Steering Committee will attend monthly meetings organized and facilitated by the City of Malden and the Chair, City Councilor Amanda Linehan. The Working Group will help the project team better understand the local context of arts and culture activity in and around Malden and will work together to develop a shared vision and values to guide the project. In addition, working group members will (1) share information with their networks, (2) support the project engagement efforts, (3) support development of a building program, and (4) provide guidance on operational models and funding opportunities.

Project Work Plan

Task 1: Steering Committee Facilitation and Project Management

The City of Malden will convene and facilitate monthly meetings of the MCAC Steering Committee in which project partners will share information, facilitate discussion, and solicit feedback to inform the project work.

1.1. MAPC will support the City of Malden in agenda setting for the monthly meetings. MAPC will facilitate the following content for these meetings

Deliverable:

- August meeting: Vision and Values conversation
- September meeting: Review feedback on synthesized vision, mission and values; identify opportunities for engagement.
- October meeting: Opportunities and constraints for collaborative use of building, proposed case studies
- November meeting: Review public feedback from visioning engagements
- December meeting: Summary of case study and visioning findings.

1.2. Design teams will provide presentation materials and facilitate conversations about the following design topics:

**Deliverable:**

- September: Orientation to the building based on photographs of the site
- October: Opportunities and constraints aligned with vision, mission, values and preliminary uses.
- November: Initial blocking diagram for potential uses within existing space
- December: Summary of constraints, opportunities, and uses that can be supported by the spaces.
- January: Development of block scenarios showing different uses and build-out options.

1.3 The City of Malden will schedule biweekly meetings with MAPC and design teams to coordinate meeting preparation and development of work products, will schedule and facilitate monthly Steering Committee meetings, and will notify project partners on any changes in schedule or deadlines related to the disposition of the building. The City of Malden will provide relevant updates to the Steering Committee relative to City activities as needed.

Deliverable: The Steering Committee and the City of Malden will agree on a shared vision, mission, and values to guide schematic design work and operational model development in Phase 2.

Task 2: Community Engagement and Outreach

2.1 MAPC will develop an engagement strategy to reach out to the community to support project visioning. This strategy will include an online survey to share information and collect feedback about user needs and gather feedback on the Steering Committee's vision and proposed uses for the space.

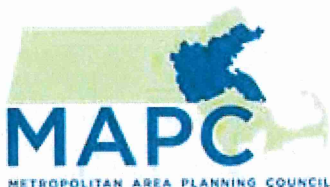
Deliverable: MAPC will generate outreach materials and talking points to provide to the Committee members so they may pop-up at community events to share information about the project and encourage people to take the survey

2.2 The Design teams will receive synthesized feedback from surveys, meetings, and events from MAPC and will prepare a blocking plan and other supporting materials for presentation to the Steering Committee, and to the public through surveys and a public forum.

Deliverable: Design team will create a blocking plan and 3D rendering of the building layout to convey how uses may be mixed within the building to mitigate competition and create synergy.

2.3 The City, MAPC, and design teams will conduct a forum and/or a second survey to obtain feedback on build-out scenarios as developed by the design team based on the user needs analysis.

Deliverable: MAPC will support the City of Malden in organizing a public form, potentially combined with a survey to extend the time for public participation, to obtain feedback on build-out scenarios. Each scenario will portray a different mix of uses that



may satisfy various community needs. Scenarios will test the mix of uses within the existing volume and quality of space, and will identify improvements to the building that will need to be made to accommodate those uses and enact the values of the project.

Task 3: Existing Conditions Data Collection and Analysis

3.1 MAPC will identify arts and culture assets and stakeholders who will be important to the success of the project. MAPC will interview Steering Committee members to better understand their goals for the space, the networks they will bring to the project and to identify opportunities and risks associated with different operational models.

Deliverables: MAPC will produce an anonymized summary of findings from Steering Committee member interviews and a Community Engagement Plan that will facilitate connections with project stakeholders, leverage the networks of Steering Committee members, and build capacity for collaboration.

3.2 The design teams will analyze the existing building conditions, provide Steering Committee members with an orientation to the buildings with a focus on key opportunities and constraints. The design teams will provide a blocking diagram that identifies where proposed uses match well with spaces and will identify uses where building conditions may pose a challenge (e.g. for restroom access requirements).

Deliverables: The design teams will present a curated set of photos that identify opportunities and challenges and will submit documentation of key opportunities and constraints (including anticipated financial constraints) for repurposing the building to support arts, culture, and community uses.

Task 4: Case Study Research

4.1 MAPC will draft case studies of comparable arts and culture centers from around the nation – with a particular focus on the Greater Boston region – to convey scenarios that may be implemented in Malden. The case study summary will include an overview of key findings to inform business model development and identify potential opportunities, risks and trade-offs.

The case studies will include at least one example of adaptive reuse of historic buildings as arts spaces; and at least one model of municipally-owned arts spaces designated for community use. Additional case studies may be selected to explore the feasibility of high-priority arts uses and strategies for creating a welcoming and accessible space. Each case study will contain the following pieces of information across both categories: mix of synergistic uses, management structures, operational strategies, financing plans, building ownership and lease arrangements.



Deliverables: MAPC will present a summary of case study research as a short document or powerpoint presentation to the City of Malden and MCAC Steering Committee. This document will also be included in the Appendix of the final concept plan.

Task 5: Final Deliverables

5.1 MAPC will collaborate with the design teams to draft a Concept Plan that will summarize project work and articulate a preferred scenario, business model, and operational strategy for the Malden Center for Arts & Culture. The report will include documentation of public input on user needs, block plans showing scenarios for the build-out of the space, feedback on building scenarios, and case studies.

Deliverable: The final concept plan report will include:

- Building conditions report
- Establishment of mission, vision, and values for the project
- Record of stakeholder engagement
 - Documentation of user needs
 - Feedback on building scenarios
- Block plan drawings at schematic level describing the program, parameters, use, and user, and identification of key issues for build-out such as the lack of a sprinkler system, accessible front entrance, and multi-stall bathrooms.
- Case studies of comparable spaces that offer examples of business and operational plans
- Synthesis of preferred operational model and business plan elements
- Research into potential funding sources
- Roadmap for next steps

Timeline

- **PHASE 1) Visioning: August – November 2021**
 - August
 - Steering Cmte Mtg Agenda: Vision and Values conversation
 - September
 - Steering Cmte Mtg Agenda: Review feedback on synthesized vision, mission and values; identify opportunities for engagement.
 - Design Team develops orientation to the building based on photographs of the site
 - MAPC will produce an anonymized summary of findings from Steering Committee member interviews and a Community Engagement Plan that



will facilitate connections with project stakeholders, leverage the networks of Steering Committee members, and build capacity for collaboration.

- The design teams will present a curated set of photos that identify opportunities and challenges and will submit documentation of key opportunities and constraints (including anticipated financial constraints) for repurposing the building to support arts, culture, and community uses.
- Design team will create a blocking plan and 3D rendering of the building layout to convey how uses may be mixed within the building to mitigate competition and create synergy.
- October
 - Steering Cmte Mtg Agenda: Opportunities and constraints for collaborative use of building, proposed case studies
 - Design team outlines options for prioritizing and/or phasing uses within opportunities and constraints and aligned with vision, mission, values.
- November
 - Steering Cmte Mtg Agenda: Review feedback from Steering Committee interviews and engage SC members in discussion on public engagement effort.
 - Design team will provide project team with results from cost estimator to understand potential costs of building improvements to support program.
 - MAPC will launch public engagement effort in coordination with the design team, conduct interviews for case study research, compile preliminary research on funding sources, and estimate revenue potential for blocking plan.
 - The Steering Committee and the City of Malden will agree on a shared vision, mission, and values to guide schematic design work and operational model development in Phase 2.
- **PHASE 2) Vetting: December 2021 – February 2022**
 - December
 - Steering Cmte Mtg Agenda: Summary of case study and preliminary survey findings.
 - Design Team drafts summary of constraints, opportunities, and uses that can be supported by the spaces.
 - MAPC will draft summary of findings from Phase 1.
 - January
 - Steering Cmte Mtg Agenda: Plan the public forum.



- Design Team develops scenarios showing different uses and build-out options.
 - MAPC continues research into funding sources and revenue estimates.
 - February
 - Steering Cmte Mtg Agenda: Public Forum
 - MAPC will support the City of Malden in organizing a public forum, potentially combined with a survey to extend the time for public participation, to obtain feedback on build-out scenarios. Each scenario will portray a different mix of uses that may satisfy various community needs. Scenarios will test the mix of uses within the existing volume and quality of space and will identify improvements to the building that will need to be made to accommodate those uses and enact the values of the project.
- **PHASE 3) Concept Planning: March 2022 – May 2022**
 - March
 - Steering Cmte Mtg Agenda: Review block plan scenarios.
 - MAPC will present a summary of case study research as a short document or powerpoint presentation to the City of Malden and MCAC Steering Committee. This document will also be included in the Appendix of the final concept plan.
 - April
 - Steering Cmte Mtg Agenda: Review block plan scenarios and recommendations on operating model and funding sources.
 - MAPC will coordinate with the City of Malden and Design Team to draft a concept plan.
 - May
 - Steering Cmte Mtg Agenda: Review final plan.
 - MAPC will coordinate with the City of Malden and Design Team to submit a revised concept plan.

Project Budget

Project Tasks (Labor)	MAPC hours	MAPC*	Malden Hours	Malden Cost/ In-kind
Task 1: Project Meetings and Steering Committee	100	\$9,000.00	32	\$3,200.00
Task 2: Outreach and Engagement	120	\$10,800.00	10	\$1,000.00
Task 3: Existing Conditions Data & Analysis	40	\$3,600.00	10	\$1,000.00



Task 4: Case Study Research	100	\$9,000.00	10	\$1,000.00
Task 5: Interim and Final Deliverables	60	\$5,400.00	10	\$1,000.00
Non-Labor Costs				
Travel		\$400.00	0	\$-
Translation/ Interpretation**		\$3,000.00	0	\$-
Refreshments		\$200.00	0	\$-
Communications	25	\$2,250.00	10	\$1,000.00
SUBTOTALS	445	\$43,650.00	82	\$8,200.00
Project Management (10% of total)		\$4,365.00	0	\$-
Contingency (5% of total budget)		\$2,182.50		\$-
TOTALS	610	\$48,015.00	82	\$8,200.00

A detailed budget for this project is outlined in the accompanying Excel sheet:

https://mapc365.sharepoint.com/:x:/s/ArtsandCulture/EY0T7IcjArpMpC90MMGTomoBC0TmKt9zd5Y_3Lw1tXewpA?e=xxenO4

Project Connection to MetroFuture

In addition to advancing local community and economic development goals, this project will advance MetroFuture goal #43: "More people will take advantage of the region's artistic and cultural resources" and the following MetroFuture strategies: fostering urban vitality through support for arts districts; supporting arts and culture as a way to build community and civic engagement; and supporting small businesses and entrepreneurs (strategies 6E and 11A and 11A and C). This project will also advance MAPC's Civic Engagement and Innovation and Creativity guiding approaches.

Process Benchmarks:

- Gather input from at least 100 individuals in Malden through surveys, public events, and the project's digital hub.
- Establish at least 1 creative community partnership that engages Malden residents who are typically excluded from arts and cultural spaces and planning processes (e.g. working-class communities of color, immigrants, youth) in imagining and articulating the space's program and role within the community.
- At least 20 organizations and/or businesses in Malden commit to host project collateral and/or share information about the project with their constituents/customers.



- Site activation draws at least 50 individuals (not including members of Steering Committee or Project Team).
- Project email updates receive an average open rate of at least 15%.

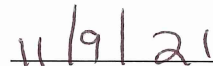
Project Outcomes:

- The City of Malden purchases the former courthouse to convert it into an Arts Center.
- The City of Malden is able to secure funding for the building purchase and renovation.
- The City of Malden further develops its schematic design for the building to support the needs of Malden's arts and culture community.
- The City of Malden solicits a Request for Operators to identify people and organizations who may sustain affordable access to space for artists and creatives in the greater Malden area.

Scope Approval

_____

Deborah Burke, Director
Office of Strategic Planning and Community Development

_____

Date

January 31, 2022

Evan Spetrini
Senior Planner & Policy Manager
Office of Strategic Planning & Community Development
Malden City Hall
215 Pleasant St., Third Floor
Malden, MA 02148

RE: Proposal for Reuse Study of Malden's Former Courthouse Building

Dear Evan,

UX Architecture Studio, in collaboration with Silverman Trykowski Associates, is pleased to submit this proposal for the Reuse Study of Malden's former courthouse building. While we have been working closely with you and the MAPC to better understand the community's needs, the Reuse Study will produce a comprehensive report that will help determine the most appropriate and financially feasible use of the former courthouse on Summer Street. With this report, which will be informed by community input for potential future uses, the City of Malden will be able to evaluate different options for the new use and operation of the building and proceed to the next phase of planning and design.

The proposed Scope of Services includes a multi-disciplinary team led by UX and STA architects. This team will include the following sub-consultants: Structural Engineer; MEP+FP Engineer; Code Consultant; Cost Estimator; and a Retail Development/Neighborhood Strategy Consultant or other specialty consultant. The final report produced by this team will include information on the condition of the structure and the building's systems, adherence to applicable building codes and regulations, a summary of the Steering Committee's community outreach and findings, and the potential implementation strategies and financial models associated with required upgrades and proposed design scenarios.

1. Scope of Services

We propose the scope of services be provided as two concurrent phases: Building Assessment and Reuse Scenarios.

Phase 1: Building Assessment

The study team will thoroughly review, assess, and document the site and the existing facilities. Our analysis will include building measurements and documentation, a code review of the building's existing conditions, an assessment of the building's maintenance history, and an evaluation of the building's structural and MEP+FP systems. The following services will be included as part of this assessment:

- Tour the existing site; obtain any existing conditions drawings of the building
- Field verify and photo document existing conditions of the building
- Using 3D point cloud scanning, gather accurate information of both the interior and exterior of the building and site
- Provide a comprehensive code report
- Review zoning ordinances and historic regulations for the building
- Prepare a property condition assessment, including engineering systems analysis and building infrastructure condition

- Prepare a preliminary hazardous materials review of the existing building
- Provide a cost analysis of required upgrades or repairs
- Assess the neighborhood context, such access to public transportation, traffic conditions or impacts, and surrounding commercial or public development relevant to the project site

Phase 2: Reuse Scenarios

Informed by the Steering Committee's community outreach and its findings, the design team will study two development scenarios: 1) A minimal investment to upgrade the building as needed to meet code requirements for structure, energy, and accessibility and to meet programmatic requirements with minimal demolition and renovation; and 2) an optimal design that provides an elegant solution for new uses and accessibility into the building. The development scenarios will include a detailed cost estimate of each intervention. The following services will be included as part of this phase of work:

- Collaborate closely with the City of Malden and the MAPC and project stakeholders to establish project priorities and goals
- Identify key opportunities that connect programming efforts with the assessment findings
- Investigate and develop multiple design options and provide assessment of impact on the building's existing systems and structure
- Develop strategies and concept design options for implementing universal design throughout
- Create initial block plans, identifying options for program space allocation
- Develop a concept design that provides a clear vision for the future design and planning phases of the project
- Prepare noted plans identifying scope of work for each scenario.
- Provide a detailed cost estimate for each scenario
- Evaluate potential operating costs and business models
- Prepare a comprehensive report documenting all existing conditions information, required infrastructure changes, challenges and opportunities, and recommendations for the next phase of design and planning.

2. Proposed Fee

Our estimated fee for the proposed multi-disciplinary team is \$83,500. The proposed allocation of the total fee to the lead consultants and subconsultants is as follows:

Lead Consultant Team (UX & STA)	\$35,000
Subconsultant: MEP+FP Engineer	\$15,000
Subconsultant: Structural Engineer	\$15,000
Subconsultant: Code Consultant	\$3,500
Subconsultant: Cost Estimator	\$5,000
Subconsultant: Specialty	\$10,000
Total	\$83,500

3. Standard Terms and Conditions

Fixed Fee Projects: Billings are based on the percentage of each phase of work.

Hourly Projects: Billings are based on the hours worked, including travel time. Where an estimated total has been given, it is not a not-to-exceed cap and is provided solely to assist you in project planning. Hourly rates will be provided upon request.

Validity and Affect

Our proposal is valid for 30 days. Should you ask us to begin work before executing an agreement, you agree that the proposed terms are the contract in force between us subject to amendment when our agreement is executed.

Owner's Responsibilities

You agree to provide complete physical information about the site and/or buildings and legal, accounting, and insurance counseling services as may be required. You agree to credit us publicity involving the project design.

Invoices

Invoicing will be rendered on a monthly basis for services performed during the previous month. Payment is due within 30 days of receipt. We reserve the right to suspend work without breach of contract if your account is past due and to charge you for all costs incurred by us, including legal fees, if we have to take action to collect the account.

Reimbursable Expenses

Reimbursable expenses such as, but not limited to, prints, travel, delivery, models, and any additional insurance that you request will be billed at 1.10 times cost. You agree to reimburse us at our cost for any sales tax, which may be assessed for our professional services.

Change of Scope

Our fee is subject to equitable adjustment by negotiation or arbitration if the agreed scope is changed or our services are not completed within 12 months.

Additional Services

These are services beyond those agreed to, including our revisions due to your adjustments in the project scope, quality, or budget. The use of contracts other than the AIA standard forms, 2007 edition, is an Additional Service, as are legal fees we incur in executing these non-standard agreements. Additional Services will be billed at our hourly rates and our consultants at their hourly rates.

Dispute Resolution

Claims, disputes, or other matter in question between the parties to this Agreement arising out of or relating to this Agreement or breach thereof shall be subject to and decided by arbitration in Massachusetts by a Design Professional Arbitrator in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association currently in effect unless the parties mutually agree otherwise. No arbitration arising out of or relating to this Agreement shall include, by consolidation, joinder, or in any other manner, an additional person or entity not a party to this agreement.

Limitation of Liability

The Owner agrees to limit the Architect's liability arising out of errors, or omissions, such

that the total aggregate liability of the Architect shall not exceed the amount of Architects fees paid for professional services under this agreement. This limitation shall apply regardless of the cause of action or legal theory pled or asserted.

Use of Architect's Drawings

Our drawings and specifications are instruments of service solely with respect to this project. As author, we retain copyright, common law, and statutory rights. You may retain copies for reference, but you may not use these on other projects or to complete this project without us unless an arbitration panel finds that we have breached our obligations.

Termination and Suspension

Our Agreement may be terminated by either party upon 7 days written notice should the other fail to perform by these agreed terms. In the event of termination or project suspension, you agree to pay us for services and reimbursables then due. If you suspend the project for more than 3 months, we reserve the right to renegotiate the balance of our fee to reflect current personnel and project restart costs. Should our services be terminated without breach of our obligations, you agree to release us from all liability from the work we performed.

Asbestos and Hazardous Waste

We do not perform and are not insured for services related to the identification, containment, or removal of asbestos or hazardous waste, including pollutants, nor will we assume liability for any damages or cost related to these materials.

Standard of Care

In performing our services, we will use that degree of care and skill ordinarily exercised under similar circumstances by competent members of our design professions practicing in this locality. Notwithstanding our compliance with this standard of care, you can normally anticipate that some changes and adjustments in the project will be required in order to correct errors and omissions in our documents, which are discovered either during or after construction. You agree to establish, with our assistance, a contingency fund to cover the reasonably anticipated cost of such changes and adjustments. Charges against such contingency will not be indicative of negligence on our part and will not result in back charges or claims against us.

If this Agreement meets with your approval, please sign a copy, and return this letter as your authorization to proceed. This document will then serve as our Agreement. We look forward to working on this project with you. Please contact us if you have any questions regarding the extent of our services or our compensation methods.

Sincerely,



Susi Sanchez, AIA, LEED AP
UX Architecture Studio

Accepted by: _____ Date: _____

AN ACT AUTHORIZING THE DIVISION OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE TO CONVEY CERTAIN PROPERTY IN THE CITY OF MALDEN TO THE CITY OF MALDEN.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the transfer of a certain parcel of land for the purposes of facilitating the productive reuse of property no longer needed by the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding sections 32 through 37, inclusive, of chapter 7C of the General Laws or any general or special law to the contrary, the commissioner of the division of capital asset management and maintenance, in consultation with the Chief Justice, may convey to the city of Malden for nonprofit recreational, governmental, educational or community use, and ancillary uses, the parcel of land and building situated thereon at 89 Summer Street Malden MA 02148 (Parcel ID 021-118-801) used as a district court and commonly known as the Malden District Court, and the parcel of land (Parcel ID 020-120-012) used as a district court parking lot and commonly known as the Malden District Court parking lot. The parcels shall be conveyed by deed without warranties or representations by the commonwealth.

SECTION 2. The use of the parcels described in section 1 shall be restricted to nonprofit recreational, governmental, educational or community use, and ancillary uses. The deed or other instrument conveying the parcels to the city of Malden shall provide that the parcels shall be used solely for nonprofit recreational, educational or community use, and ancillary uses and shall include a reversionary clause that stipulates that if the parcels cease at any time to be used for such purposes, title to the parcels shall, at the election of the commonwealth, revert to the commonwealth and the reversionary clause shall be enforceable notwithstanding the time limit set forth in section 7 of chapter 184A of the General Laws.

SECTION 3. The consideration for the conveyance of the parcels pursuant to this section shall be the fair market value of the parcels as determined by the commissioner of capital asset management and maintenance based upon an independent professional appraisal for the use of the parcels as restricted pursuant to section 2. The city of Malden may pay the consideration for the parcels as so determined at the time the parcels are conveyed to the city or may the amount so determined through payments pursuant to section 20A of chapter 58 of the General Laws.

SECTION 4. Notwithstanding any general or special law to the contrary, the city of Malden shall be responsible for all costs and expenses of any transaction authorized by this section as determined by the commissioner of capital asset management and maintenance including, but not limited to, the costs of any engineering, surveys, appraisals, title examinations, recording fees and deed preparation related to the conveyance of the parcels. The city of Malden shall acquire the property thereon in its

present condition. Upon the recording of the deed conveying the parcels to the city of Malden, the city of Malden shall be responsible for all costs, liabilities and expenses for its ownership.

SECTION 5. Notwithstanding the foregoing or any general or special law to the contrary, but subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B of the General Laws, the city of Malden may lease or sell the parcels or portions thereof to one or more Massachusetts not-for-profit corporations, provided that the use of such parcels or portions thereof shall continue to be subject to the provisions of section 2 of this act.

DRAFT