

REQUEST FOR PROPOSALS
820 Cummins Highway, 30-32 Regis
Road and Two Vacant Parcels located on
Cummins Highway & Regis Road in
Mattapan (the “Cote Ford Site”)
CITY OF BOSTON
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT



<p>Contact Information:</p>	<p>Department of Neighborhood Development 26 Court Street, 9th Floor Boston, MA 02108 Attn: Christopher Rooney Christopher.M.Rooney@Boston.gov (617) 635-0493</p>
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<p>How to obtain the Request for Proposals and supporting documents via the DND website:</p>	<p>Go to: http://www.CityofBoston.gov/DND/RFP Click on “Request a Copy”. If you have any problems accessing the system, please call (617) 635-0493.</p>
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<p>Proposal Submittal Deadline:</p>	<p>Proposals will be received until September 30, 2014 at 4:00 p.m. (EST) at:</p> <p>Department of Neighborhood Development 26 Court Street, 10th Floor (Bid Counter) Boston, MA 02108</p>
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1. SUMMARY STATEMENT

Since its inception in 1966, the Department of Neighborhood Development (DND), formerly the Public Facilities Department, has acted as the primary local government agency charged with providing affordable housing opportunities for the residents of the City of Boston (City). As an agency of the City, established under Massachusetts statute and through the general policy direction of the Housing Authority and the Public Facilities Commission, DND has been directly responsible for the planning, financing and implementation of publicly assisted housing programs. DND has also worked in collaboration with governmental agencies and private entities to educate the community, policy leaders, and various stakeholders about the issues surrounding affordable housing, and identify potential actions to address the affordable housing shortage.

DND applies its resources to the following areas of work:

1. Creating affordable and mixed-income housing;
2. Supporting the preservation of historic architecture;
3. Developing open spaces, including community gardens and farms;
4. Providing homeownership opportunities and trainings; and
5. Implementing programs to support the economic development of small businesses.

The Real Estate Development Initiative Program, under which this Request for Proposals (RFP) is offered, is a mechanism which allows DND to offer publically-owned real estate to developers to expand residential and/or commercial opportunities for Boston residents.

Before offering a property under the Real Estate Development Initiative Program, DND consults extensively with local residents and community leaders to establish a set of guidelines that reflect the community preferences regarding preferred, acceptable and unacceptable community facility uses. Those preferences are then incorporated into the RFP and, eventually, set the parameters of the final contract between the City and the Successful Proposer. DND's property disposition process operates in accordance with Massachusetts General Law (M.G.L.), Chapter 30B which governs municipal property dispositions. Accordingly, DND reviews all proposals it receives under this Request For Proposals (RFP), disqualifies any that do not meet the "Minimum Eligibility Criteria" described in Section 7 of this RFP, ranks the remaining proposals according to the General Evaluation Criteria and Compliance Evaluation Criteria set forth in Section 7, and then designates the selected developer for the property.

2. SCOPE OF PROJECT

The purpose of this request for proposals is to establish a contract with a qualified reputable developer, capable of developing the offered property in a manner satisfactory to the City of Boston and the residents of Mattapan.

The project must be developed in accordance with the development guidelines and objectives as set forth in **Appendix 11**. In cooperation with neighborhood residents and the Blue Hill Avenue/Cummins Highway Working Advisory Group, the Department of Neighborhood Development has established development objectives for the property. The developer must

address each of the considerations, as expressed by the community, in a development concept narrative, construction description narrative & design documents, and agree to work with the community and the Blue Hill Avenue/Cummins Highway Working Advisory Group on any future issues that arise.

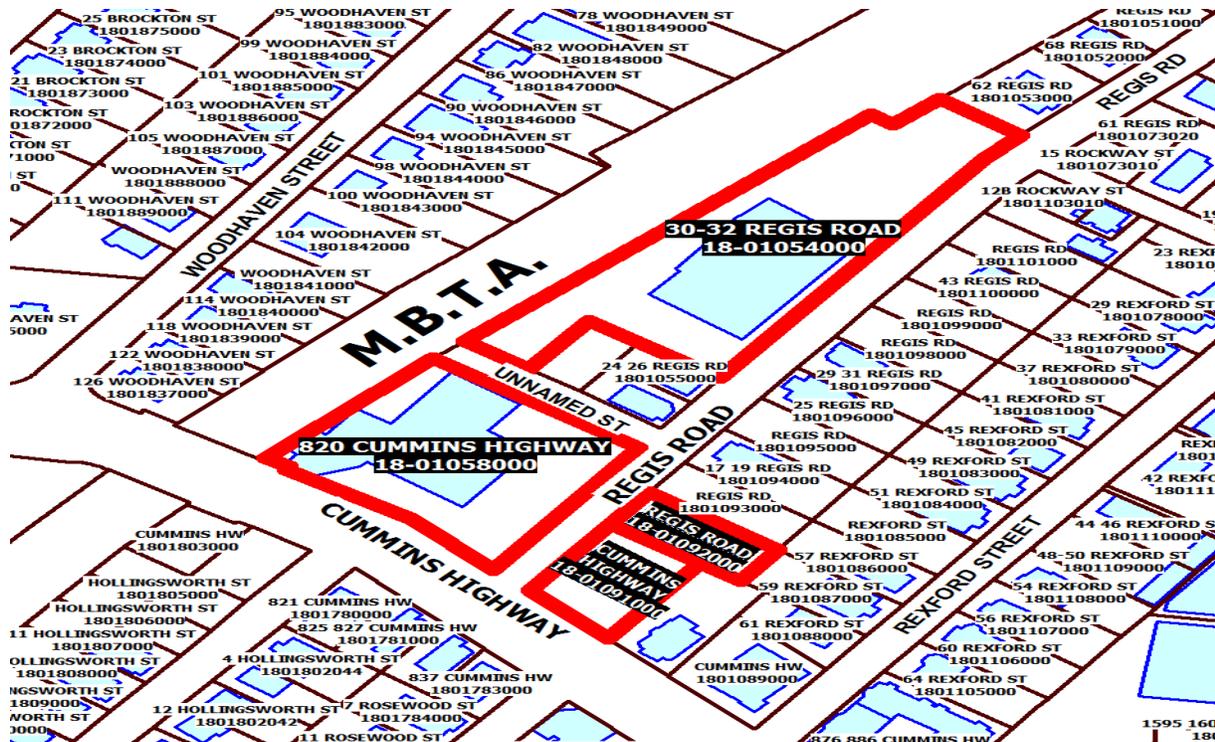
The preference is for mixed-use (residential and commercial) in order to create housing and jobs for local residents, as well as to act as a catalyst for additional economic development in the surrounding area. The proposed commercial uses must reasonably limit noise and traffic impacts and not adversely affect the quality of life of the immediate abutters. While the community has stated its interest in a mixed-use development, proposals that include an educational use will be considered.

If residential is included in the proposal, there is a preference for mixed-income housing. If commercial is included in the proposal, the proposed development should complement existing businesses in the Mattapan Square area. The proposed development should not include passive uses such as warehouse or self-storage. In addition, the following uses are strongly discouraged: liquor store, gun shop, medical marijuana dispensary & fast food. Uses should include clean commercial that bring a number of jobs to the community.

Summary of Environmental Conditions

The former Cote Ford Site, as defined by the two properties located at 820 Cummins Highway and 30-32 Regis Road, is impacted by residual petroleum contamination associated with underground storage tanks formerly located at the Site. The Site is listed by the Massachusetts Department of Environmental Protection (MassDEP) under Release Tracking Numbers (RTNs) 3-13055 and 3-13852. RTN 3-13055 was closed on October 24, 1996 by linking it with RTN 3-13852. RTN 3-13852 was closed with a Class A-3 Response Action Outcome (RAO) Statement and Activity and Use Limitation (AUL) submitted on August, 13 1997. The AUL restricts future use of three distinct areas of the property.

DND conducted Phase II Environmental Site Assessments in 2013 and 2014 in order to assess current conditions. Soil, groundwater, and soil gas were tested at the Site, focusing on the three AUL areas. The purpose of the investigation was to provide an understanding of what remedial measures may be required in order to remove the AUL and/or redevelop the Site. The data is presented in two Phase II Site Assessment Reports dated February 2013 and February 2014 which are available upon request.



The following parcels are being made available under this RFP. Proposers must offer to develop **ALL** of the parcels listed here. Proposals that do not demonstrate a plan to develop and maintain all of the parcels will be rejected as non-responsive.

Street Address	Assessor's Parcel Number	Lot Size (square feet)
820 Cummins Highway	1801058000	40,166
30-32 Regis Road	1801054000	56,913
Cummins Highway	1801091000	10,366
Regis Road	1801092000	6,250
		Total - 113,695

a. Current Zoning:

This property is currently zoned as; District: Greater Mattapan, Sub-District: 2F-6000, Overlay: Gateway Development.

b. The Neighborhood:

The site is located outside of Mattapan Square, in the Mattapan neighborhood of the City of Boston. The uses along Cummins Highway are predominately residential in single and multi-family buildings, with some scattered commercial uses. The uses along Regis Road are predominately residential in single and two-family buildings. The site abuts the MBTA Fairmount Commuter Rail Line.

All public utilities are available to the immediate neighborhood, including municipal water and sewer, electricity, gas and telephone.

More information about the neighborhood is available at: www.cityofboston.gov/neighborhoods.

c. **Property Viewing:**

A viewing of the property for prospective Proposers will be held on the following dates:
Friday, July 25, 2014 from 10:00 a.m. to 12:00 noon, Friday, August 15, 2014 from 10:00 a.m. to 12 noon and Friday, September 5, 2014 from 10:00 a.m. to 12:00 noon.

3. **PROJECT REQUIREMENTS**

a. **General**

- i. The asking price for the property is **\$1,820,000**.

The asking price is based either on an independent appraisal or current assessment.

A Proposer may choose to offer less than the asking price, but to do so the Proposer must be able to demonstrate that their development program was not financially feasible given the asking price. Reasons may include extraordinary expenses to be incurred, or specific community benefits the program provides that prohibit the Proposer from maximizing operating income. If a Proposer offers less than the asking price, they must include a written description of why their offer price is reduced, and provide development pro formas that support their offer price.

Please note that this is a competitive process. DND will analyze the Proposer's projected costs/benefits compared to all proposals received, and in its discretion, either accept or deny the offer.

*If a Proposer is seeking funding resources from the City, they should offer no more than **\$100** per parcel.

- ii. While DND has conducted a title examination of the property, DND makes no warranty or representations as to its accuracy and recommended that Proposers conduct their own title examinations.
- iii. If selected as a finalist, Proposer will be required to present their plan of development at a community meeting organized by DND.
- iv. Performance under this Request for Proposals will be closely coordinated with the Project Manager and any other staff member designated by DND. Questions pertaining to requests for technical guidance and direction should be directed in writing to the assigned Project Manager, or other designated DND representative. However, such DND representative(s) will only provide necessary background information and guidance; they will under no circumstances change the terms and conditions of this engagement.
- v. The developer shall prepare and deliver to their assigned DND Project Manager a monthly status report. The report should include a description of the work completed that month regarding, but not limited to, the following:
1. Zoning Board of Appeal (ZBA) Application(s)
 2. Inspectional Services Department (ISD) Permit(s)
 3. Final Design Specifications

4. Environmental Testing or Remediation
 5. Acquisition of Financing
 6. Community Feedback
- vi. The Successful Proposer shall designate qualified representatives as point of contact to assist DND, as needed, throughout the engagement. Names, phone numbers, and e-mail addresses of proposed representatives are to be listed in the proposal.
- b. **Developmental**
 - i. The Successful Proposer will produce an appropriate plan of development that satisfies the City's needs within specified time frames.
 - ii. The contract period of performance shall be for twelve (12) months from the tentative designation award. If the Property has not been made development-ready within twelve (12) months, DND may choose to grant additional time for performance or to rescind the award, at its discretion.
 - iii. The determination of whether services were performed satisfactorily is at the sole discretion of DND.
 - iv. The Successful Proposer will confirm all scheduled project milestones with DND prior to initiating work.
 - c. **Operational**
 - i. The Successful Proposer shall maintain a safety and environmental program that complies with all applicable local, state and federal regulations.
 - ii. After conveyance the Successful Proposer will be responsible for the condition of the property. They must take any steps necessary to keep the property free of trash, debris, and snow.
 - iii. The Successful Proposer will affirmatively and fairly solicit qualified subcontractors from residents of the local community.
 - iv. If the Successful Proposer is a for-profit firm with 25 or more full time employees, or a non-profit firm with 100 or more employees, they will be required to make best efforts to adhere to the Boston Jobs and Living Wage Ordinance, and the provisions of the Promulgated Regulations, including the "First Source Hiring Agreement" provisions of said Ordinance.
 - d. **Design**
 - i. Building construction must take into consideration the existing standards of the community, i.e., building height, mass, and scale.
 - ii. Building materials must be of good quality and take advantage of sustainable building principles and MEP systems.
 - iii. Proposer must present a design that includes a thoughtful exterior, with attractive windows, doors, and exterior cladding and/or masonry.
 - iv. Any construction of permanent structures on the property must comply with the Boston Zoning Code and Massachusetts Building Code, whether as-of-right or by variance.
 - v. If the proposed design makes use of adjacent parcels, the Proposer must demonstrate site control of such other parcels by way of a fully executed, and currently dated, Purchase and Sale Agreement or a signed, and currently dated, Option Agreement.

4. SUBMISSION INSTRUCTIONS

Proposers **MUST** submit an **original and three (3) copies** of the proposal in the sealed envelope to the Department of Neighborhood Development, Bid Counter (either in person or by mail) by **September 30, 2014** at 4:00p.m.

26 Court Street, 10th Floor
Boston, MA 02108

Bid Counter hours are Monday–Friday from 9:00 a.m. - 12:00 noon and 1:00 p.m. - 4:00 p.m. The Bid counter is closed Monday through Friday from 12 noon to 1:00 p.m. and after 4 p.m.

Any proposals received after the date and time specified in this RFP will be rejected as non-responsive, and not considered for evaluation.

5. REQUIRED SUBMISSION DOCUMENTS

The following is a list of all documents necessary for a complete proposal. Submitting these documents in the order listed below will facilitate the City’s ability to determine if your application is complete and eligible for further review. Incomplete proposals will be rejected.

a. Introductory Documents:

- i. Appendix 1: *Cover Sheet Form*
- ii. Proposal Summary

b. General Evaluation Criteria Documentation:

- i. Appendix 2: *Statement of Bidder’s Qualifications Form*
- ii. Appendix 3: *Preliminary Development Budget Form*
- iii. Appendix 4: *Preliminary Operating Budget Form*
- iv. Appendix 5: *Development Timetable Form*
- v. Appendix 6: *Construction Employment Statement Form*

c. Compliance Review Documentation:

- i. Appendix 7: *Property Affidavit Form*
- ii. Appendix 8: *Affidavit of Eligibility Form*
- iii. Appendix 9: *Chapter 803 Disclosure Statement Form*
- iv. Appendix 10: *Beneficial Interest Statement Form*

6. PROPOSAL SUMMARY

In addition to the required forms listed in Section 5, the following information shall be submitted in the Proposer’s written Proposal Summary. This is an opportunity for the Proposer to convey, in their own words, to the Evaluation Team how the proposed project will be a highly-beneficial use of the Property, cost-effective, timely, and provide options superior to those currently available to

the community. Omission of any of the required information, may lead to a determination that the proposal is non-responsive.

a. **Introduction**

- i. An overall introduction to the Proposer that includes a statement of the Proposer's interest in Project.
- ii. Provide a description of the Proposer's organizational structure, including a list of qualified representatives and key personnel.
- iii. A description of any lawsuits brought against the Proposer or principals in courts situated within Massachusetts within the past five years.

b. **Development Plan**

- i. A description that conveys the Proposer understands the services to be performed. Proposer must indicate and fully explain its plan for development and how it coincides with DND's stated scope for the Project and Project Requirements. Also, Proposer must provide a credible scheme for accomplishing its stated goals and/or objectives.
- ii. Time schedule proposed to accomplish the tasks listed in Section 3, Scope of Project as well as the goals/objectives unique to the submitted proposal.
- iii. Provide in digital format (one copy either on a CD or a flash drive) copies of your drawings that best represent your proposed plan including rendering(s), and site plan(s), and any relevant floorplan(s) if buildings are proposed. These drawings will also be available to the public to assist in their assessment of your proposal.

c. **Operational Plan**

- i. Summarize your plan for the operation of the facility once development is complete. Include the anticipated annual costs, as well as the planned sources of funding.

d. **Developer Qualifications, Experience and References**

- i. Furnish a narrative supported by relevant data regarding qualifications and past experience with similar projects. Proposer must provide detailed description of previous relevant work completed and the results or outcome of that work. Each Proposer shall also furnish three current references including, names, addresses, e-mail addresses, phone numbers, and principal contacts in which the Proposer has provided comparable services.

e. **Permits/Licenses**

- i. The Proposer must include a list of relevant business permits/licenses (with expiration dates).

f. **Subcontractors or Partnerships**

- i. If applicable, explain the relationship(s) between the Proposer and any third-party developers, subcontractors, or community partners that might influence the Proposer's development plan.

g. **Additional Data**

- i. The proposal should include any other relevant information the Proposer believes is essential to the evaluation of the proposal (i.e., aesthetic designs, environmental sustainability goals, property management plans, ideas for

selection of subcontractors, methods of obtaining community engagement, etc.).

7. EVALUATION PROCESS

Proposals will be reviewed and selected using a 3-part process.

First, proposals must meet the City's Minimum Eligibility Criteria as described below. The Selection Committee shall then assign a composite rating for each proposal it evaluates. The most advantageous proposal from a responsive and responsible Proposer, taking into consideration all evaluation criteria, will be selected.

Proposals that satisfy the Minimum Eligibility Criteria will then be reviewed based on the General Evaluation Criteria. To facilitate DND's evaluation of General Evaluation Criteria, DND may require that Proposers present their plan of development to the community.

Finally, prior to designation by the Public Facilities Commission, the "Successful Proposer," one who has satisfied the Minimum Eligibility Criteria and is found to have the highest composite score, based on the General Evaluation Criteria, will be subject to a final Statutory Compliance Review to determine compliance with various City regulations, ordinances and policies.

- a. **Minimum Eligibility Criteria ("Responsive" Bidder):**
 - i. **Proposal Received by Deadline.** Only proposals that are received by the date, time, and at the location indicated in Section 4 of this RFP will be accepted.
 - ii. **Complete Proposal Submission.** Proposals must contain all necessary forms and documents as required in Section 5 of this RFP, including all required signatures and certifications.
- b. **General Evaluation Criteria ("Responsible" Bidder):**
 - i. **Developer Experience and Capacity.** This is an evaluation of Proposer's experience in developing projects of a nature comparable to the given project.
 - ii. **Plan of Development.** This is an evaluation the proposed redevelopment of the property, including all major physical changes to the property and the planned end use of the property.
 - iii. **Design Concept.** This is an evaluation of how well the proposal incorporates the Design Requirements set out in Section 3, and whether the Proposer's design proposal appears to be reasonable attainable.
 - iv. **Development Cost Feasibility.** This evaluation is based on the strength of the Preliminary Development Budget. DND will assess projected development expenses, including site prep, environmental remediation expenses, construction and all associated soft costs, and will determine whether, in its opinion, the stated cost of development is sufficiently inclusive and reasonable.
 - v. **Developer's Financial Capacity.** This is an evaluation of Proposer's ability to secure, in a timely manner, all financing stated in their Preliminary Development Budget

- vi. **Operational Plan.** This is an evaluation of how well the proposal meets the Operational Requirements set out in Section 3, as well as any additional community benefits offered by the proposal.
 - vii. **Operational Feasibility.** This evaluation is based on two factors: 1) the relative strength of the proposed operating budget to identify and address all reasonable operating expenses and 2) the relative capacity to raise the necessary resources to fund the operating budget.
 - viii. **Development Schedule.** This is an evaluation of the Proposer’s planned Development Timetable, relative to other proposals. The total construction time (from developer selection to completion) will be an important evaluation factor.
- c. **Compliance Review (“Disqualifiers”):**
- i. **Tax Delinquency Review.** The City of Boston Collector-Treasurer’s Office will conduct a review of the selected proposer’s property tax history. The selected proposer cannot be delinquent in the payment of taxes on any property owned within the City of Boston. The selected proposer must cure any such delinquency prior to the conveyance of the Property. If the selected proposer has been foreclosed upon by the City of Boston for failure to pay property taxes, then said proposer will be deemed ineligible for conveyance of the Property offered pursuant to this RFP, unless such proposer promptly causes the decree(s) or judgment(s) of foreclosure to be vacated by the Land Court and the City made whole. DND, in its sole discretion, shall determine the timeliness of the selected proposer’s corrective action in this regard and will disqualify the proposer if vacating the tax-title foreclosure is not prosecuted expeditiously and in good faith, so as to avoid undue delay.
 - ii. **Water and Sewer Review.** The City of Boston Water and Sewer Commission will conduct a review of the selected proposer’s water and sewer account(s). The selected proposer cannot be delinquent in the payment of water and sewer charges on any property owned within the City of Boston and, if found to be delinquent, must cure such delinquency prior to a vote request to the Public Facilities Commission for conveyance of the Property.
 - iii. **Property Portfolio Review.** The City will review the selected proposer’s portfolio of property owned to ascertain whether there has/have been abandonment, Inspectional Services Department (ISD) code violations or substantial disrepair. If unacceptable conditions exist in the selected proposer’s property portfolio, DND may deem the selected proposer ineligible for conveyance of the Property.
 - iv. **Prior Participation Review.** The City will review the Proposer’s prior participation in any City of Boston programs, including DND programs, to ascertain Proposer’s previous performance. Proposers found to have not fulfilled their duties or obligations under previous agreement with the City may be deemed to be ineligible for conveyance of the Property.
 - v. **Employee Review.** Neither the Proposer, nor any of the Proposer’s immediate family, nor those with whom s/he has business ties may be currently, or have been within the last twelve (12) months, an employee, agent, consultant, officer, or an elected official of the City of Boston, including

DND. An “immediate family member” shall include parents, spouse, siblings or children, irrespective of their place of residence. Any proposer who fails to satisfy this requirement may be deemed to be ineligible for conveyance of the Property.

[All forms, disclosures and certifications required for DND’s evaluation are included in Appendix Sections 1-11 of this Request for Proposals.]

8. **AWARD OF CONTRACT**

The City, acting by and through its Public Facilities Commission by the Director of DND, is soliciting proposals for the acquisition of the property located at **820 Cummins Highway, 30-32 Regis Road and two vacant parcels located on Cummins Highway & Regis Road in Mattapan**. The City will award a contract to the highest-rated, most advantageous proposal based on the above-listed criteria.

DND will review and evaluate proposals promptly after the submission deadline of **September 30, 2014**.

DND reserves the right to award contracts to multiple Proposers, to reject any or all proposals, to waive any informality in the proposal process, or to cancel in whole, or in part, this solicitation if it is in the best interest of the City to do so. A proposal may be rejected if it is incomplete, illegible, or conditional.

An acceptable offer will not include conditional requirements, such as:

- Altering the square footage of the Property;
- Proposing a use for the Property beyond commercial development; or
- Proposing a use for the Property that does not benefit the residents of Boston.

DND reserves the right to obtain opinion of Counsel regarding the legality and sufficiency of proposals. The contract will be awarded, if at all, to the responsive, responsible Proposer(s) that receive the highest overall composite rating in the evaluation process.

9. **WITHDRAWAL OF PROPOSALS**

Proposals may be withdrawn either personally, by written request or by electronic request at any time prior to the scheduled closing time of receipt of proposals.

10. **QUESTIONS**

The last day for questions is **September 16, 2014 at 4:00 p.m.** All questions must be submitted in writing by either e-mail or U.S. mail and addressed as shown below.

E-mail: Christopher.M.Rooney@Boston.gov

U.S. Mail: Department of Neighborhood Development
Attn: Christopher Rooney, Project Manager
26 Court Street, 9th Floor
Boston, MA 02108

Disclaimer: DND will attempt to communicate any changes/addenda to this RFP; however, it is the Proposer's responsibility to check the DND's website regularly for any updates, corrections or information about deadline extensions.

11. TERMS AND CONDITIONS

- a. **Assumption of Risk.** The City accepts NO financial responsibility for costs incurred by Proposers in responding to this Request for Proposals. Proposers are responsible for any and all risks and costs incurred in order to provide the City with the required submission.
- b. **Public Property.** Proposals submitted to DND will become property of the City. After opening, all proposals become public documents and are subject to the requirements of the Massachusetts Public Records Law (M.G.L. c. 4, § 7(26)).
- c. **Terms of Sale.** After a final proposal has been selected, the Successful Proposer will be contacted by DND to finalize the terms of the sale. The terms of the sale will and **MUST** be consistent with this Request for Proposals, including the advertised purchase price and Project Requirements.
- d. **"As Is" Conveyance.** DND will convey the property in "AS IS CONDITION" without warranty or representation as to the status or quality of title. The Successful Proposer/Buyer shall, to the fullest extent permitted by law, assume any and all liability for environmental remediation pursuant to Chapter 21E of the Massachusetts General Laws. Finally, any and all site improvements, such as utility connections and/or street repairs, are the responsibility of the Successful Proposer.
- e. **Negotiations.** DND reserves the right to negotiate for changes to the selected proposal. These negotiations may encompass values described in the Request for Proposal, as well as values and items identified during the Request for Proposal and negotiation process. On the basis of these negotiations, DND may decline to sell the property even after the selection process is complete and negotiations have begun.
- f. **Closing.** The Successful Proposer must execute a Purchase and Sales Agreement and then close on the sale within ninety (90) days of the date of execution, unless otherwise agreed upon (in writing) by DND. Failure to comply with the obligations of closing may result in the rescission of any prior agreement(s) with DND regarding the Property.
- g. **Restrictions on Transfer.** All properties sold under the Community Facilities Assistance Program will have a 50-year deed rider and mortgage, restricting the use of the Property. Unless authorized in writing by DND, the Successful Proposer may not substantially alter the use of the property; permanently cease operations; transfer title of the property; or have any unauthorized financial liens placed on the property. Such actions will trigger a reversionary clause in the deed, automatically transferring title of the Property back to DND.

- h. **Payment.** Unless otherwise agreed to by DND in writing, the Successful Proposer is required, at the time of conveyance, to make full payment for the Property by Treasurer's or Cashier's Check. In addition, the Successful Proposer will be responsible for paying all recording and registrations fees (including the cost of recording the deed and conveyance documents at the Suffolk County Registry of Deeds), and making a pro forma tax payment.
- i. **Reservation of Rights.** DND reserves the right to postpone or withdraw this RFP; to accept or reject any and all proposals; to modify or amend the terms of this RFP through an addendum; to waive any informality, and to interview, question and/or hold discussions regarding the terms of any proposal received in response to this RFP. DND reserves the right to cancel a sale for any reason. DND reserves the right to select the next highest ranked proposal, if the initially Successful Proposer is unable to proceed in a timely manner or otherwise fails to satisfactorily perform. DND reserves the right to waive any requirement or restriction set forth in this RFP or conveyance documents, if such waiver is deemed appropriate by DND, in its sole discretion.
- j. **Changes to Program.** DND reserves the right to change aspects of the development program outlined in this RFP, using its best judgment as to the needs of the program and the furtherance of its mission, provided that the rights of the Proposers are not prejudiced.

**END OF
820 Cummins Highway, 30-32 Regis Road and Two Vacant Parcels located on
Cummins Highway & Regis Road in Mattapan (a.k.a. the "Cote Ford Site")
REQUEST FOR PROPOSALS.
DND THANKS YOU FOR YOUR INTEREST**

The following appendices provide all the instructions and forms necessary to prepare a complete proposal submission. Please read and follow these instructions carefully so that your proposal can be given full consideration.

Appendix 1

SOLICITATION, OFFER AND AWARD		3. Date Issued		
1. PROJECT NAME	2. TYPE OF SOLICITATION			
Cote Ford Site Mattapan	<input type="checkbox"/> Invitation for Bids <input type="checkbox"/> Negotiated (RFP)			June 30, 2014
4. ISSUED BY: City of Boston, Department of Neighborhood Development 26 Court Street, 9 th Floor Boston, MA 02180			5. ADDRESS OFFER TO: (If other than item 4)	
NOTE: In sealed bid solicitations "offer" and "offeror" mean "bid" and "bidder"				
SOLICITATION				
6. Sealed offers (original and 3 copies) will be received at the place specified in item 4 until 4:00 p.m. (EST) September 30, 2014.				
CAUTION: Late submissions, Modifications, and Withdrawals: See Section 10. All offers are subject to all terms and conditions contained in this solicitation.				
7. For Information Contact:	7a. Name	7b. Telephone	7c. Fax	7d. E-mail
	Christopher Rooney	(617) 635-0493	(617) 635-0282	Christopher.M.Rooney@Boston.gov
OFFER				
8. In accordance with the terms of this RFP, the undersigned agrees, if this offer is accepted, to furnish any and all supporting documentation upon request by DND.				
OFFER PRICE:				
9. SUBMISSION CHECKLIST				
(x)		(x)		
	Appendix 1: COVER SHEET		Appendix 6: CONSTRUCTION EMPLOYMENT STATEMENT	
	PROPOSAL SUMMARY		Appendix 7: PROPERTY AFFIDAVIT	
	Appendix 2: STATEMENT OF BIDDER'S QUALIFICATIONS		Appendix 8: AFFIDAVIT OF ELIGIBILITY	
	Appendix 3: PRELIMINARY DEVELOPMENT BUDGET		Appendix 9: CHAPTER 803 DISCLOSURE STATEMENT	
	Appendix 4: PRELIMINARY OPERATING BUDGET		Appendix 10: BENEFICIAL INTEREST STATEMENT	
	Appendix 5: DEVELOPMENT TIMETABLE			
10. ADDRESS OF OFFEROR			11. Name and Title of Authorized Signatory (Print)	
Phone Number			12. Signature	
			13. Offer Date	

Appendix 2

STATEMENT OF PROPOSER’S QUALIFICATIONS

All questions must be answered. All information must be clear and complete. Attach additional pages, if needed.

1. Name of proposer: _____

2. Names and titles of principals: _____

3. Names of authorized signatories: _____

4. Permanent main office address: _____

Phone: _____ Fax: _____ Email: _____

5. Date organized: _____

6. Location of incorporation: _____

7. Number of years engaged in business under your present name: _____

8. List at least three private or public agencies that you have supplied/provided with similar services to that in this solicitation:

a. _____

b. _____

c. _____

Has organization ever failed to perform any contract? YES NO

If YES, attach a written declaration explaining the circumstances.

AUTHORIZATION: The undersigned certifies under penalties of perjury that this proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word “person” shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

Signature of individual submitting proposal

Title

Legal Name of Organization

Date

PRELIMINARY DEVELOPMENT BUDGET

PROPOSER'S NAME: _____

Complete this Preliminary Development Budget or you may substitute another form that provides substantially equivalent information. Note: Total of Uses of Funds should equal Total of Sources of Funds.

USES OF FUNDING	AMOUNT
Acquisition - Land	\$
Site Prep/Environmental	\$
Construction	\$
Construction Contingency	\$
Architect(s) and Engineer(s)	\$
Development Consultant	\$
Survey and Permits	\$
Legal	\$
Title and Recording	\$
Real Estate Taxes	\$
Insurance	\$
Construction Loan Interest	\$
Construction Inspection Fees	\$
Other:	\$
Soft Cost Contingency	\$
Developer Overhead	\$
Developer Fee	\$
TOTAL: ALL USES	\$

SOURCES OF FUNDING	AMOUNT	Committed
Sponsor Cash In Hand	\$	<input type="checkbox"/>
Additional Sponsor Fundraising	\$	<input type="checkbox"/>
Philanthropic Funding	\$	<input type="checkbox"/>
Philanthropic Funding	\$	<input type="checkbox"/>
Bank Loans	\$	<input type="checkbox"/>
Donated Materials/Services:	\$	<input type="checkbox"/>
Other:	\$	<input type="checkbox"/>
Other:	\$	<input type="checkbox"/>
TOTAL ALL SOURCES:	\$	

If any of the above-listed funding sources are already in hand or have been committed subject to designation/conveyance by DND, check off the right-hand box under "Committed".

Explanatory notes:

Appendix 4

PRELIMINARY OPERATING BUDGET

PROPOSER'S NAME: _____

Provide a Preliminary Operating Budget on the form provided below. You may substitute another form that provides substantially equivalent information.

SOURCES OF FUNDS: ANNUAL OPERATING INCOME	AMOUNT	Committed
	\$	<input type="checkbox"/>
ANNUAL OPERATING INCOME: ALL SOURCES	\$	<input type="checkbox"/>

If any of the above-listed funding sources are already in hand or have been committed subject to completion of the new facility, check off the right-hand box under "Committed".

USES OF FUNDS: ANNUAL OPERATING COSTS	AMOUNT
	\$
	\$
	\$
	\$

Appendix 5

DEVELOPMENT TIMETABLE

PROPOSER'S NAME: _____

Assuming that you are designated on November 01, 2014, indicate below your target dates for achieving these key development milestones.

MILESTONE	DATE
Designs Complete	
Apply for Permit(s)	
Zoning Relief Anticipated?	<input type="checkbox"/> YES <input type="checkbox"/> NO
All Development Financing Committed	
Permit(s) Issued	
Financing Closed	
Construction Begins	
Construction Complete	

CONSTRUCTION EMPLOYMENT STATEMENT

PROPOSER'S NAME: _____

How many full time employees does your firm currently have?

- Under 25 25 -99 100 or more

Are you a Boston-based business? YES NO

"Boston Based": where the principal place of business and/or the primary residence of the Proposer is in the City of Boston.

Are you a Minority-owned Business Enterprise? YES NO

If yes, are you certified as such by the State Office of Minority and Women Business Assistance (SOMBWA)? YES NO

Are you a Woman-owned Business Enterprise? YES NO

If yes, are you certified as such by the State Office of Minority and Women Business Assistance (SOMBWA)? YES NO

RESIDENT, MINORITY AND FEMALE CONSTRUCTION EMPLOYMENT

DND encourages developers to seek to achieve the following construction employment goals:

- Boston Residents 50% of project hours**
- Minority 25% of project hours**
- Female 10% of project hours**

These are targets, not requirements, but proposals that provide better evidence of their ability to achieve these targets will be more highly ranked. Explain what actions you will undertake to promote employment of these groups:

If you have additional information demonstrating your capacity to achieve these employment targets, you may provide this information on a separate sheet clearly labeled at the top with "Supplementary Construction Employment Statement" and the Proposer's name.

Note: if you are, according the US Dept. of Housing & Urban Development, a Section 3 certified vendor, this will be considered strong evidence of capacity to achieve DND's employment goals.

If you have completed any development projects in the last five years that have required employment reporting through the City's Office of Jobs & Community Services, please list the most recent here:

AFFIDAVIT OF ELIGIBILITY

The undersigned hereby certifies, under the pains and penalties of perjury, that neither they, nor those with whom they have business ties, nor any immediate family member of the undersigned, is currently or has been within the past twelve (12) months, an employee, agent, consultant, officer or elected or appointed official of the City of Boston Department of Neighborhood Development.

For purposes of this Affidavit, "immediate family member" shall include parents, spouse, siblings, or children, irrespective of their place of residence.

This statement is made under the pains and penalties of perjury this _____ day
of _____, _____
Month Year

Proposer Signature

Co-Proposer Signature (If Applicable)

CHAPTER 803 DISCLOSURE STATEMENT

In compliance with Chapter 60, Section 77B of the Massachusetts General Laws as amended by Chapter 803 of the Acts of 1985, I hereby certify that I have never been convicted of a crime involving the willful and malicious setting of a fire or of a crime involving the fraudulent filing of a claim for fire insurance; nor am I delinquent in the payment of real estate taxes in the City of Boston, or being delinquent, an application for the abatement of such tax is pending or a pending petition before the appellate tax board has been filed in good faith.

This statement is made under the pains and penalties of perjury this _____ day
of _____, _____
Month Year

Proposer Signature

Co-Proposer Signature (If Applicable)

Appendix 10

DISCLOSURE STATEMENT FOR TRANSACTION WITH A PUBLIC AGENCY CONCERNING REAL PROPERTY M.G.L. c. 7C, s. 38 (formerly M.G.L. c. 7, s. 40J)

INSTRUCTION SHEET

NOTE: The Division of Capital Asset Management and Maintenance (DCAMM) shall have no responsibility for insuring that the Disclosure Statement has been properly completed as required by law. Acceptance by DCAMM of a Disclosure Statement for filing does not constitute DCAMM's approval of this Disclosure Statement or the information contained therein. Please carefully read M.G.L. c. 7C, s. 38 which is reprinted in Section 8 of this Disclosure Statement.

Section (1): Identify the real property, including its street address, and city or town. If there is no street address then identify the property in some other manner such as the nearest cross street and its tax assessors' parcel number.

Section (2): Identify the type of transaction to which this Disclosure Statement pertains --such as a sale, purchase, lease, etc.

Section (3): Insert the exact legal name of the Public Agency participating in this Transaction with the Disclosing Party. The Public Agency may be a Department of the Commonwealth of Massachusetts, or some other public entity. Please do not abbreviate.

Section (4): Insert the exact legal name of the Disclosing Party. Indicate whether the Disclosing Party is an individual, tenants in common, tenants by the entirety, corporation, general partnership, limited partnership, LLC, or other entity. If the Disclosing Party is the trustees of a trust then identify the trustees by name, indicate that they are trustees, and add the name of the trust.

Section (5): Indicate the role of the Disclosing Party in the transaction by checking one of the blanks. If the Disclosing Party's role in the transaction is not covered by one of the listed roles then describe the role in words.

Section (6): List the names and addresses of **every** legal entity and **every** natural person that has or will have a **direct or indirect** beneficial interest in the real property. The only exceptions are those stated in the first paragraph of the statute that is reprinted in Section 8 of this Disclosure Statement. If the Disclosing Party is another public entity such as a city or town, insert "inhabitants of the (name of public entity)." If the Disclosing Party is a non-profit with no individual persons having any beneficial interest then indicate the purpose or type of the non-profit entity. If additional space is needed, please attach a separate sheet and incorporate it by reference into Section 6.

Section (7): Write "none" in the blank if none of the persons mentioned in Section 6 is employed by DCAMM. Otherwise list any parties disclosed in Section 6 that are employees of DCAMM.

Section (8): The individual signing this statement on behalf of the Disclosing Party acknowledges that he/she has read the included provisions of Chapter 7C, Section 38 (formerly Chapter 7, Section 40J) of the General Laws of Massachusetts.

Section (9): Make sure that this Disclosure Statement is signed by the correct person. If the Disclosing Party is a corporation, please make sure that this Disclosure Statement is signed by a duly authorized officer of the corporation as required by the statute reprinted in Section 8 of this Disclosure Statement.

**DISCLOSURE STATEMENT FOR
TRANSACTION WITH A PUBLIC AGENCY CONCERNING REAL PROPERTY
M.G.L. c. 7C, s. 38 (formerly M.G.L. c. 7, s. 40J)**

The undersigned party to a real property transaction with a public agency hereby discloses and certifies, under pains and penalties of perjury, the following information as required by law:

(1) REAL PROPERTY:

(2) TYPE OF TRANSACTION, AGREEMENT, or DOCUMENT:

(3) PUBLIC AGENCY PARTICIPATING in TRANSACTION:

(4) DISCLOSING PARTY'S NAME AND TYPE OF ENTITY (IF NOT AN INDIVIDUAL):

(5) ROLE OF DISCLOSING PARTY (Check appropriate role):

Lessor/Landlord

Lessee/Tenant

Seller/Grantor

Buyer/Grantee

Other (Please describe): _____

(6) The names and addresses of all persons and individuals who have or will have a direct or indirect beneficial interest in the real property excluding only 1) a stockholder of a corporation the stock of which is listed for sale to the general public with the securities and exchange commission, if such stockholder holds less than ten per cent of the outstanding stock entitled to vote at the annual meeting of such corporation or 2) an owner of a time share that has an interest in a leasehold condominium meeting all of the conditions specified in M.G.L. c. 7C, s. 38, are hereby disclosed as follows (attach additional pages if necessary):

NAME

RESIDENCE

(7) None of the above-named persons is an employee of the Division of Capital Asset Management and Maintenance or an official elected to public office in the Commonwealth of Massachusetts, except as listed below (insert "none" if none):

(8) The individual signing this statement on behalf of the above-named party acknowledges that he/she has read the following provisions of Chapter 7C, Section 38 (formerly Chapter 7, Section 40J) of the General Laws of Massachusetts:

No agreement to rent or to sell real property to or to rent or: purchase real property from a public agency, and no renewal or extension of such agreement, shall be valid and no payment shall be made to the lessor or seller of such property unless a statement, signed, under the penalties of perjury, has been

**DISCLOSURE STATEMENT FOR
TRANSACTION WITH A PUBLIC AGENCY CONCERNING REAL PROPERTY
M.G.L. c. 7C, s. 38 (formerly M.G.L. c. 7, s. 40J)**

filed by the lessor, lessee, seller or purchaser, and in the case of a corporation by a duly authorized officer thereof giving the true names and addresses of all persons who have or will have a direct or indirect beneficial interest in said property with the commissioner of capital asset management and maintenance. The provisions of this section shall not apply to any stockholder of a corporation the stock of which is listed for sale to the general public with the Securities and Exchange Commission, if such stockholder holds less than ten per cent of the outstanding stock entitled to vote at the annual meeting of such corporation. In the case of an agreement to rent property from a public agency where the lessee's interest is held by the organization of unit owners of a leasehold condominium created under chapter one hundred and eighty-three A, and time-shares are created in the leasehold condominium under chapter one hundred and eighty-three B, the provisions of this section shall not apply to an owner of a time-share in the leasehold condominium who (i) acquires the time-share on or after a bona fide arms-length transfer of such time-share made after the rental agreement with the public agency is executed and (ii) who holds less than three percent of the votes entitled to vote at the annual meeting of such organization of unit owners. A disclosure statement shall also be made in writing, under penalty of perjury, during the term of a rental agreement in case of any change of interest in such property, as provided for above, within thirty days of such change.

Any official elected to public office in the commonwealth, or any employee of the division of capital asset management and maintenance disclosing beneficial interest in real property pursuant to this section, shall identify his position as part of the disclosure statement. The commissioner shall notify the state ethics commission of such names, and shall make copies of any and all disclosure statements received available to the state ethics commission upon request.

The commissioner shall keep a copy of each disclosure statement received available for public inspection during regular business hours.

- (9) This Disclosure Statement is hereby signed under penalties of perjury.

PRINT NAME OF DISCLOSING PARTY (from Section 4, above)

AUTHORIZED SIGNATURE of DISCLOSING PARTY DATE (MM/DD/YYYY)

PRINT NAME & TITLE of AUTHORIZED SIGNER

The Cote Ford Site, Mattapan

1. DEVELOPMENT OBJECTIVES

In cooperation with neighborhood residents and the Blue Hill Avenue/Cummins Highway Working Advisory Group, the Department of Neighborhood Development has established the following development objectives for the property. The developer must address each of the following considerations, as expressed by the community, in a development concept narrative, construction description narrative & design documents, and agree to work with the community and the Blue Hill Avenue/Cummins Highway Working Advisory Group on any future issues that arise.

BUILDING DEMOLITION

If necessary, the developer must agree to demolish the existing building in a manner that is of minimal disruption to the surrounding residences, in order to make way for a vacant site suitable to build a structure that is more energy efficient, functional and attractive.

LAND USE

- The preference is for mixed-use (residential and commercial) in order to create housing and jobs for local residents, as well as to act as a catalyst for additional economic development in the surrounding area. The proposed commercial uses must have limited noise and traffic impacts and not adversely affect the quality of life of the immediate abutters. While the community has stated its interest in a mixed-use development, proposals that include an educational use will be considered.
- If residential is included in the proposal, there is a preference for mixed-income housing.
- If commercial is included in the proposal, the proposed development should complement existing businesses in the Mattapan Square area. The proposed development should not include passive uses such as warehouse or self-storage. In addition, the following uses are strongly discouraged: liquor store, gun shop, medical marijuana dispensary & fast food. Uses should include clean commercial that bring a number of jobs to the community.
- The proposed development must clearly demonstrate that it is providing sufficient on-site parking for residents and/or employees and/or customers in order to not overburden street parking used by area residents.

DESIGN

- Any new construction should be contextual with the existing neighborhood in terms of height, scale, massing, construction materials and visual appearance.
- Designs that exhibit superior energy-efficiency, low carbon emissions and utilize green construction technologies are preferred. Proposals that conform to the United States Green Building Council's "Leadership in Energy and Environmental Design" (LEED) Silver certification standard, or better, are encouraged.
- The design should minimize any increase in traffic, particularly as it impacts direct abutters.
- The design should not include any excavation activities that could undermine the structural integrity of the foundations of abutting properties.
- The design must appropriately address any drainage issues that impact abutters.
- The design should provide adequate screening and buffering for the abutters, including green space where appropriate.
- Preference will be given for the following design elements:
 - Indoor space available to the community for meetings and events.
 - Outdoor public space that is accessible to the community.
 - Improved streetscape, lighting, and signage.

CONSTRUCTION

- The construction plan must demonstrate how it will mitigate construction impacts on abutters during the construction period and the developer must have the capacity to complete the development quickly and efficiently to minimize disruption to abutters.
- The construction plan should be cognizant of the building's former uses in order to be able to safely address any potential environmental hazards present, including but not limited to, asbestos, lead paint and oil tanks, if any.
- The developer will abide by Boston Resident Job Policy at a minimum and will work with the community to maximize opportunities for construction employment and business opportunities for local residents, people of color and women on the project.