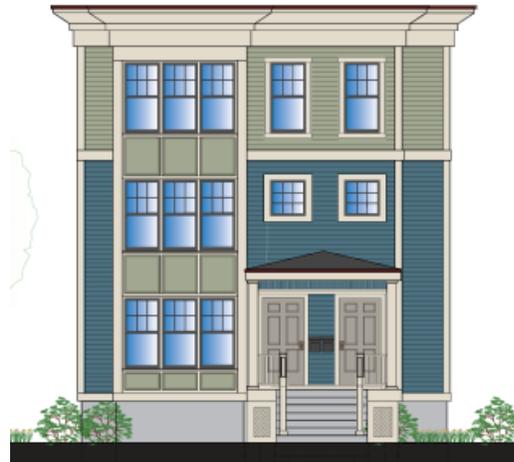


NEIGHBORHOOD HOMES INITIATIVE
REQUEST FOR PROPOSALS FOR REAL ESTATE AND FUNDING:

Violet, Norfolk, Goodale, Hosmer & Leston

RFP Issue Date: July 10, 2017

Proposal Due Date: August 21, 2017



CITY OF BOSTON

Department of Neighborhood Development

Martin J. Walsh, Mayor

Sheila A. Dillon, Director



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Notice to Bidders Regarding Downloadable RFPs

If you have picked up this Request for Proposals from DND's Bid Counter, you should know that this RFP is also available for download at boston.gov/dnd/rfps

The on-line version of the RFP is identical to the version available through the Bid Counter but it has extra features that make it easier for bidders to prepare a proposal. The on-line version of this RFP has downloadable forms that can be filled in, saved and printed from your computer. To access this function you will need the most recent edition of Adobe Reader installed on your computer. A link to the free download program is provided in the right hand column of the webpage listed above. Remember to select "save as" on your computer before printing to ensure you retain an electronic copy of your filled-in forms. You will still need to submit paper copies of your proposal to the Bid Counter in the form specified in this RFP – DND does not accept electronic submissions.

1. THE NEIGHBORHOOD HOMES INITIATIVE

The **Neighborhood Homes Initiative** (NHI) is a new initiative resulting from Mayor Walsh's Boston 2030 Housing Plan. It represents a significant commitment to promote mixed-income communities and expand affordable homeownership opportunities for first-time homebuyers priced out of today's housing market. To achieve this objective, the Department of Neighborhood Development (DND) will be making packages of developable parcels available for builders to create new, well-designed homes.

For some of the homes, DND will be providing subsidy funds to bridge the difference between the builder's cost to build the home and an affordable price determined by DND. Some homes will be market rate homes for which no subsidy funds are provided. Land parcels will be grouped into packages of parcels in close proximity to one another and the number of parcels in each package will be varied to provide opportunities for smaller and larger builders.

DND has produced a set of baseline model home designs and site plans for the NHI homes that will be used for most NHI sites. While these baseline designs are DND's preferred designs that have been vetted with community residents, builders are, none-the-less, encouraged to offer amendments that can result in cost-savings while retaining the basic design concepts of the model design. DND expects that about 200-300 home sites will be made available over the next three years.

2. HOW NHI MAKES IT EASIER FOR DEVELOPERS TO BUILD

The Neighborhood Homes Initiative has been designed with a number of features to make development easier and more cost-efficient for the developer:

COMMUNITY PRE-APPROVAL. DND establishes clear agreements with the local community on the development objectives and building types *before* DND issues its Request for Proposals. This greatly lowers the developer's risk because community issues that could otherwise hold up development are worked out ahead of time.

LOW REAL ESTATE COSTS. DND's land price for affordable home sites is \$100 per parcel. The land price for the market-rate sites may also be discounted where needed for financial feasibility. This substantially reduces the need for developers to finance the land acquisition costs which should make their projects more bankable.

REDUCED DESIGN EXPENSES. The DND Model Designs have already been reviewed by the Inspectional Services Department (ISD). The selected developer will also receive a complete set of working drawings in CAD format that can easily be modified to the developer's specifications. This can result in lowered design expenses.

ZONING/PERMITTING ASSISTANCE. The pre-screened designs have been reviewed by ISD to facilitate a greatly streamlined permitting process. Where zoning relief is necessary, DND and ISD will work to fast-track scheduling of Zoning Board of Appeals hearings.

LOWER MARKET RISK & MARKETING COSTS. DND's Boston Home Center will be responsible for finding income eligible and qualified buyers for the affordable homes. Marketing costs and market risk for the developer are limited to the market rate homes only.

SURVEYS AND ENVIRONMENTAL TESTING. DND has done survey and 21E test work that will be available to developers to enhance site planning, reduce costs and save predevelopment time.

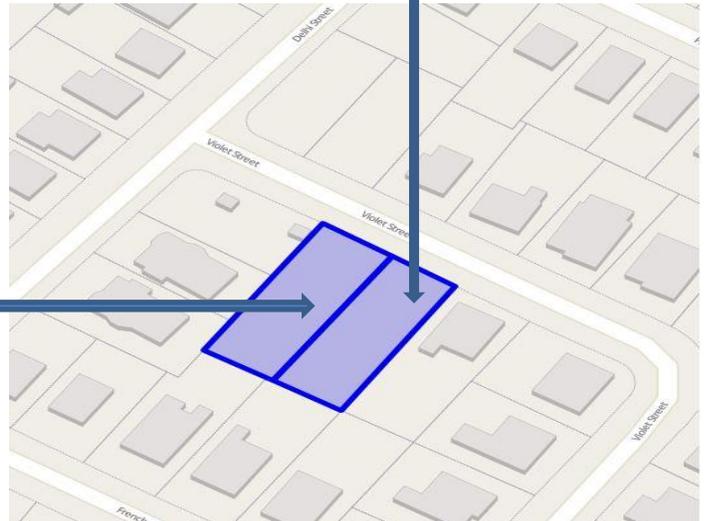
3. HOW NHI WORKS STEP-BY-STEP

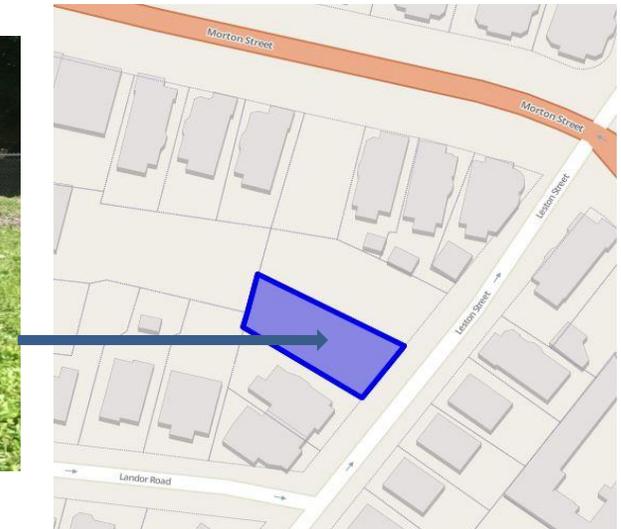
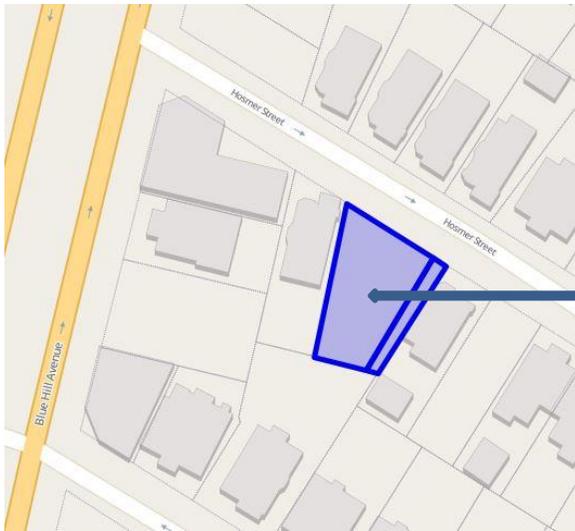
An NHI development has six key stages:

1. **SITE & HOME SELECTION.** Prior to offering any property, DND works with neighborhood residents to come to a development plan for the selected sites. DND provides recommended base designs and site plans for each site, and then works with area residents to determine preferred optional elements as well as siting and landscaping requirements. In this way, builders know exactly what is expected *before* they prepare a submission.
2. **BUILDER SELECTION.** DND will select a builder based on eight criteria: 1) the developer's experience and capacity, 2) how well the proposal achieves DND's design and construction objectives as approved by the community, 3) the financial feasibility of the market-rate homes, including reasonableness of projected sales prices, 4) the reasonableness of the costs for the affordable homes, 5) revenue to the City of Boston for the market-rate sites, 6) the developer's ability to secure the necessary financing and/or provide equity, 7) the ability to deliver the finished homes in a timely manner, and 8) the developer's ability to provide economic opportunities for Boston residents, veterans, persons of color, and women as permitted by law.
3. **PREDEVELOPMENT.** Once the preferred developer's proposal has been introduced to the community, DND will formally select the builder through a Tentative Designation Vote of the Public Facilities Commission ("PFC"). At this time, builders will be issued a license that enables them to enter the property to conduct site assessment activities. Builders will also begin the process of arranging financing and seeking building permits. When the builder has 1) completed their site assessments, 2) established an agreed-upon final sources and uses budget, and 3) demonstrated their ability to obtain financing and permits, DND shall seek a Conveyance Vote from PFC.
4. **LAND SALE & FUNDING AGREEMENT.** Once the developer has permits and financing in hand, DND will then proceed to closing where the builder will take possession of the properties and execute closing documents with all identified financing sources. Market rate units will be subject to an owner-occupancy requirement for a period of 15 years. Affordable units will be subject to resale and income restriction for a period of up to 50 years. DND and the builder will execute a Grant Agreement that specifies the terms of DND's funding, including the building-by-building construction schedules and other details related to the proposed development.
5. **CONSTRUCTION/MARKETING.** The developer will proceed with construction paid for out of their construction financing resources. For affordable home sites where DND is providing subsidy funds, the builder may draw on DND's funds throughout the construction period for costs associated with the affordable homes only, except for the developer's fee and overhead. DND will visit the construction site on a regular basis to ensure that the building as proposed is the building that is constructed. While the builder proceeds with construction, DND will commence with the outreach to income eligible buyers for the affordable homes. DND will seek to have completed the buyer selection process on or before the scheduled completion date for each affordable home. Builders are responsible for the marketing and sale of the market rate homes.
6. **SALES PHASE.** For the affordable homes, DND will provide income-eligible and bank-approved buyers to the developer. The builder will cooperate with DND on scheduling open houses and arranging access to the property for DND and prospective buyers. The developer is solely responsible for finding buyers for the market rate homes.

4. AVAILABLE PARCELS

Available Sites seven (7) parcels representing six (6) development sites with a total of approximately 34,577 square feet of land are available. Proposals must plan to develop all parcels.





Parcel Characteristics. To facilitate developer efforts to create the most accurate development budgets possible, DND has assembled some preliminary additional information¹ about the parcels. All available environmental reports on these properties can be downloaded from the same location as this RFP.

SITE	Parcel Address	Guaranteed Street	Other
1	Violet Street	NO	
2	Violet Street	NO	
3	523 Norfolk Street	YES	Through 8/1/2019
4	36 Goodale Road	NO	
5	11 Hosmer Street	YES	Through 9/23/2019
6	9 Leston Street	YES	Through 7/12/2018

¹ If additional information becomes available to DND during the RFP period, it will be made available on-line at the website where this RFP was made available under the name “Violet, Norfolk, Goodale, Hosmer & Leston NHI Supplementary Parcel Information”

5. DEVELOPMENT PLAN

Working with area residents, DND has arrived at the following development plan for the Violet, Norfolk, Goodale, Hosmer & Leston NHI Package. There will be a total of 11 new units, including 1 Two-Family building, 3 Single Family buildings and 3 Duplex buildings.

SITE	Street Address	Assessor Parcel	Land Sq Feet	House Type/Building Net Square Footage	Buyer Affordability
1	Violet Street	1800567000	5,175	1 Family Type A5 / 1,114 sf	Market Rate
2	Violet Street	1800566000	5,320	1 Family Type A5 / 1,114 sf	Market Rate
3	523 Norfolk Street	1404152000	9,324	Duplex Type D / 2,810 sf 2 Family Type B / 2,704 sf	Middle Income Market Rate
4	36 Goodale Road	1404961000	4,092	1 Family Type A / 1,073 sf	Middle Income
5	11 Hosmer Street Hosmer Street	1404131000 1404132000	5,010 620	Duplex Type CC / 2,388 sf	Middle Income
6	9 Leston Street	1403949000	5,036	Duplex Type BB / 2,204 sf	Moderate Income

When complete, there will be 7 affordable homes and 3 market-rate homes (plus 1 market rate rental unit) for sale. After a developer has been selected, DND reserves the right to negotiate revisions to the distribution of affordable and market rate homes across the 6 development parcels where DND determines that either 1) it is in the City’s financial interest to do so by reducing subsidy requirements or increasing land sale revenue, or 2) such revisions are needed for the financial feasibility of the entire package.

6. LAND PRICE

Land Price. The land price is \$100 per parcel for the sites that are designated for affordable homes. The land price for the market-rate sites will be set at the amount necessary for financial feasibility for each site using a pricing formula described in *Appendix 2: Development Financials for Market Rate Homes*. Under no circumstances can the land price be below the floor price of \$100 per parcel.

Your land price offer for the market rate homes in this RFP will be considered your **initial price offer** and will be used in a comparative evaluation of the proposals. After a developer has been selected and additional site and market analysis has been completed, this new and more accurate analysis will be used to generate a final price determination using this same pricing formula as used in *Appendix 2: Development Financials for Market Rate Homes*. This may result in a higher or lower price than originally offered. This final pricing will be locked in at the time the final budget is established and will be included in the Grant Agreement between DND and the developer.

Payment Policy. Unless otherwise agreed in writing between DND and the Selected Developer, DND requires payment in full by a treasurer's or cashier's check, for the full purchase price at the time that the property is conveyed. In addition, the Selected Developer will be responsible for making a pro forma tax payment, as well as paying all recording and registration fees including, but not limited to, the cost of recording the Deed and conveyance documents at the Suffolk County Registry of Deeds.

7. MODEL HOME DESIGNS

An important feature of NHI is the use of Model Home Designs wherever possible. This allows the City to get community approval on designs *before* offering the properties and that provides much greater certainty to the developer about what the community will support. The Inspectional Services Department (ISD) has also pre-reviewed the Model Designs to facilitate much faster permitting review. DND provides elevations, floor plans, site plans as part of this RFP. Building sizes are shown in *Section 5: Development Plan*. For the selected developer, DND will also provide preliminary working drawings in CAD format that the developer's architect can easily modify to create a final set of working drawings. This should result in reduced architect's fees. Model Home Designs can be obtained for download at the same location as this RFP under the name:

Neighborhood Homes Floorplans & Elevations

Paper copies of these documents are also available by calling or e-mailing the Project Manager identified in Section 11 of this RFP. ***Developers must build exactly in accordance with proposal.***

Design Guidelines and Construction Preferences. DND Design Guidelines can be obtained for download at the same location as this RFP under the name:

Neighborhood Homes Design Guidelines

The following enumerates some key construction characteristics that DND seeks in all of its Neighborhood Homes developments. It also identifies elements that DND discourages or outright prohibits. Assume you will conform to all of these preferences when preparing your proposal and costing out your development budget.

Construction Element	Required, Preferred or Prohibited Elements
Energy Efficiency	Massachusetts Energy Stretch Code minimum.
Pre-fabricated Construction	Prohibited for main structure. Pre-fabricated components (e.g. bath, kitchen or bay window units) are permitted.
Floor Covering	Carpet inside individual apartments is prohibited to minimize asthma impacts. Wood flooring may be hardwood or engineered wood flooring with the durability and maintenance characteristics comparable to hardwood.
Exterior Siding	Vinyl siding is prohibited
Foundation	Slab on grade is prohibited unless necessitated by subsurface conditions
Paved Surfaces	Minimize the amount of surface area that is paved
Fencing	Chain link is prohibited on street-fronting sides, and is discouraged on all other sides

Construction Line Item Budget. To facilitate review of construction costs, applicants are required to submit a full construction cost line item budget, including general conditions, overhead and profit, for each site.

Soil Remediation Allowance. DND has done Phase 1 21E environmental testing of the site; the report will be provided to the selected developer. DND requires that all homes have surface soil conditions that are safe for children. For project planning, all areas of the parcel not covered by the footprint of the dwelling, driveway, or other impervious surface shall be finished with a minimum of one (1) foot of clean, imported loam. There is a soil remediation allowance in the development budget (Line item #3: *Allowance For Soil Remediation*) for developers to plan for this cost (include \$15,000 per affordable site). Prior to commitment on DND’s funding, DND and the developer will agree on a final determination regarding the remediation costs. These costs will be included in the final development budget used to establish DND’s funding for the affordable units. If the full allowance is not required, any unspent funds will be retained by DND.

Surveys. DND has commissioned fully transferrable pre-development surveys including topography and utility conditions suitable for base drawings for Department of Public Works and Boston Water and Sewer Commission submittals. The transferrable surveys will be reissued in the developers name at time of Tentative Designation.

Cost Reducing Modifications to Model Home Designs. DND encourages alterations to the Design Guidelines that result in cost savings while retaining these minimum standards. If the Applicant proposes alterations to the designs, the projected cost savings should be listed the Development Financials (Appendix 2 and 3) and the advantages of those changes should be explained on a separate sheet. Cost-saving measures that involve substantially altering the above-listed construction preferences are not encouraged.

Substitutions. DND acknowledges that some developers may already have stock designs that they can efficiently build, and would prefer to substitute those designs for DND’s Model Home Designs. This is permissible only if DND determines that the proposed design is substantially equivalent to the design approved for the site and the community approves of the substitute designs. Developers proposing their own designs will be required to submit elevations, floorplans and a site plan as part of their application submission.

8. DEVELOPMENT PREFERENCES

In cooperation with community residents, DND has established the following development preferences. Proposals should seek to achieve as many of these development preferences as possible. The developer recommended for selection by DND will be required to make a presentation to the community showing how they plan to achieve these development objectives.

Building Code. Information of the Mass.gov website (as of the release of this RFP) states that the Ninth Edition of the state building code is expected to be effective on or about July 1, 2017 with a concurrency period ending on January 1, 2018 wherein a code user may choose to design and construct projects in conformance to either the Eighth or Ninth Edition of the Code, without mixing provisions. Permit applications for use of the Eighth Edition Code would need to be filed with the appropriate building department on or before January 1, 2018.

SITE 1: VIOLET STREET

Home Model: Single Family Type A5

Special Design Modifications: See documents provided.

Site Preferences/Parking: DND has done some additional subsurface investigation of the site due to observed conditions on the site. The building's location and parking have been sited based on investigation into sub-surface conditions. Therefore, in addition to the base plans, a Geo-technical & Structural Report, BWSC drawings, Site Plan, and Curb Cut plan have been provided within the RFP.

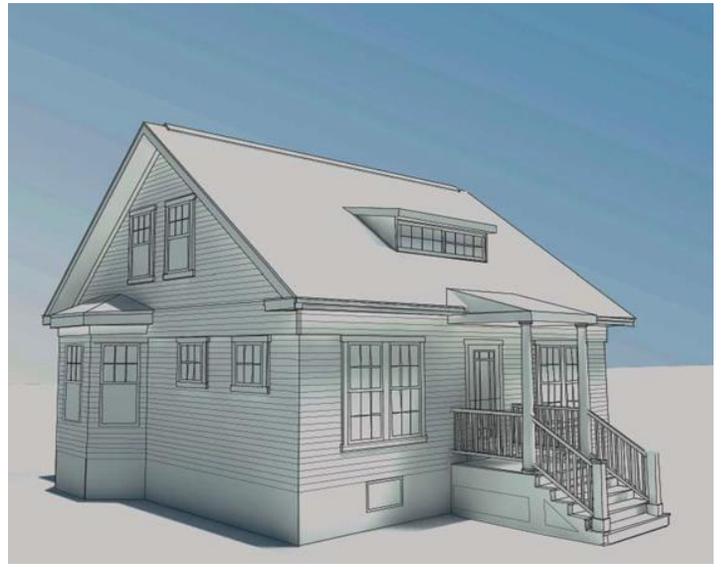
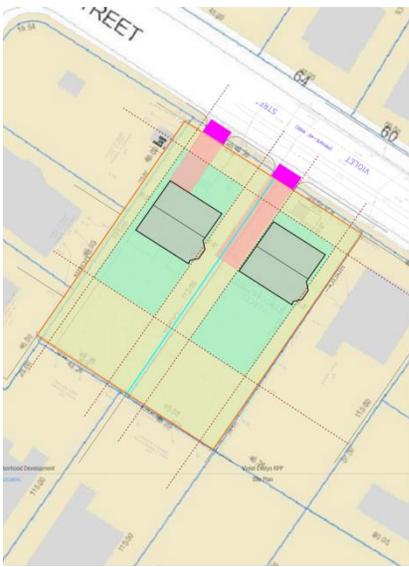


SITE 2: VIOLET STREET

Home Model: Single Family Type A5

Special Design Modifications: See documents provided.

Site Preferences/Parking: **Site Preferences/Parking:** DND has done additional subsurface investigation of the site due to observed conditions on the site. The building's location and parking have been sited based on investigation into sub-surface conditions. Therefore, in addition to the base plans, a Geo-technical & Structural Report, BWSC drawings, Site Plan, and Curb Cut plan have been provided within the RFP.

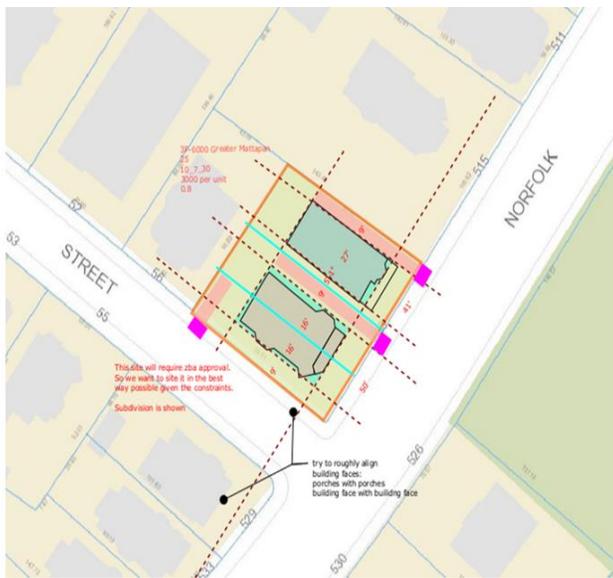


SITE 3: 523 NORFOLK STREET

Home Model: Corner Duplex Type D (Evelyn)

Special Design Modifications: See documents provided.

Site Preferences/Parking: Buildings are to be placed to protect mature trees on the site. Siting adjustments which assist to preserve the larger trees on the site are encouraged to the extent they are practical. A larger front setback maybe required to achieve this goal. The corner duplex subdivision places one driveway on Evelyn and one driveway on Norfolk. A buffer between the driveway and the adjacent property (even if it is small) is to be provided. Minimize the driveway width and extend the driveway to the end of the building or property line. At least one parking space per unit must be provided.

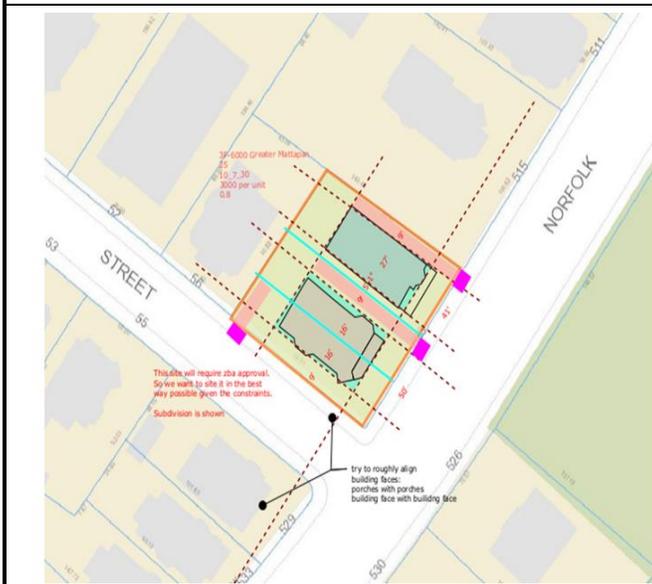


SITE 3: 523 NORFOLK STREET

Home Model: Two-Family Type B (Norfolk)

Special Design Modifications: See documents provided.

Site Preferences/Parking: Buildings are to be placed to protect mature trees on the site. Siting adjustments which assist to preserve the larger trees on the site are encouraged to the extent they are practical. A larger front setback maybe required to achieve this goal. The 2 family subdivision is anticipated to have a small frontage on Norfolk. The non-driveway side yard will likely need to be reduced to 5'-1" to allow for a 9' side yard on the driveway side. A buffer between the driveway and the adjacent property (even if it is small) is to be provided. Minimize the driveway width and extend the driveway to the end of the building. At least one parking space per unit must be provided.

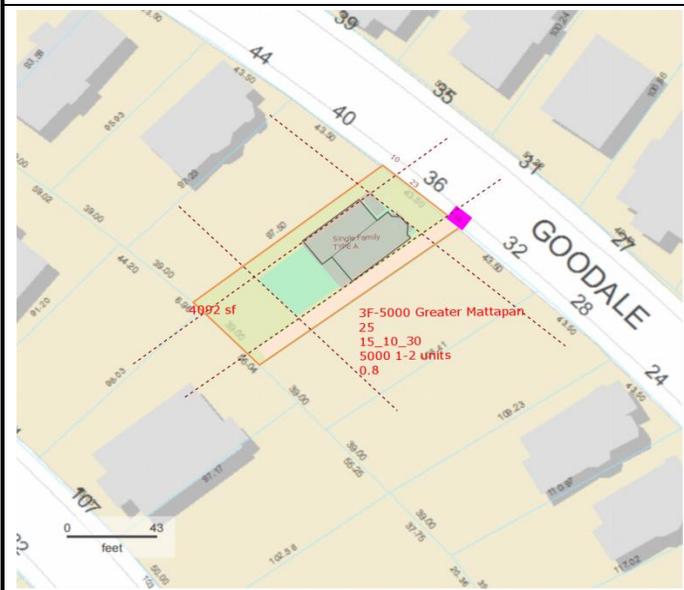


SITE 4: 36 GOODALE ROAD

Home Model: Single Family Type A

Special Design Modifications: This type incorporates a front porch and bay at the entrance to mirror the style of buildings in the immediate neighborhood including a 12/12 roof pitch.

Site Preferences/Parking: Respondents are to anticipate retaining walls which will be required due to the slope of the site and that fact that it is raised above the street. A buffer between the driveway and the adjacent property is to be provided. Minimize the driveway width and extend the driveway to the end of the building. At least one parking space per unit must be provided. A garage is not anticipated.

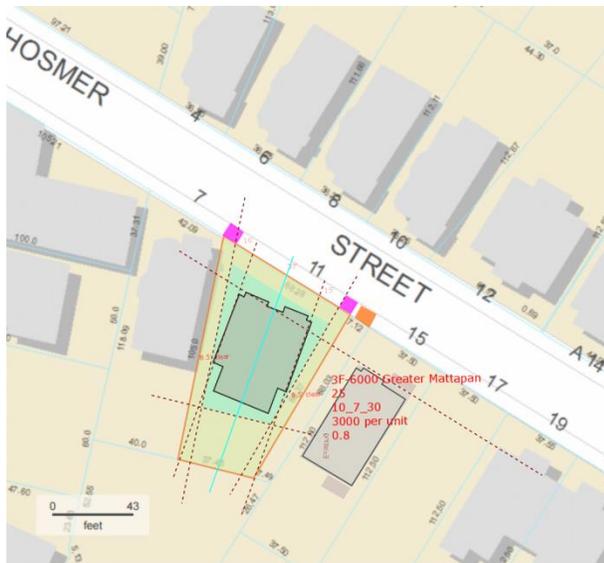


SITE 5: 11 HOSMER STREET and Hosmer Street

Home Model: Flat Roof Duplex Type CC

Special Design Modifications: This building is set within a context of flat roof buildings with front and rear porches.

Site Preferences/Parking: The site is to be subdivided in order to create two fee simple townhouse units. A buffer between the driveway and the adjacent property is to be provided. It appears that a side yard setback of 15' or greater is possible on each side of the building. Minimize the driveway width and extend the driveway to the end of the building. At least one parking space per unit must be provided. New curb cuts are shown in purple and existing curb cuts are shown in orange.

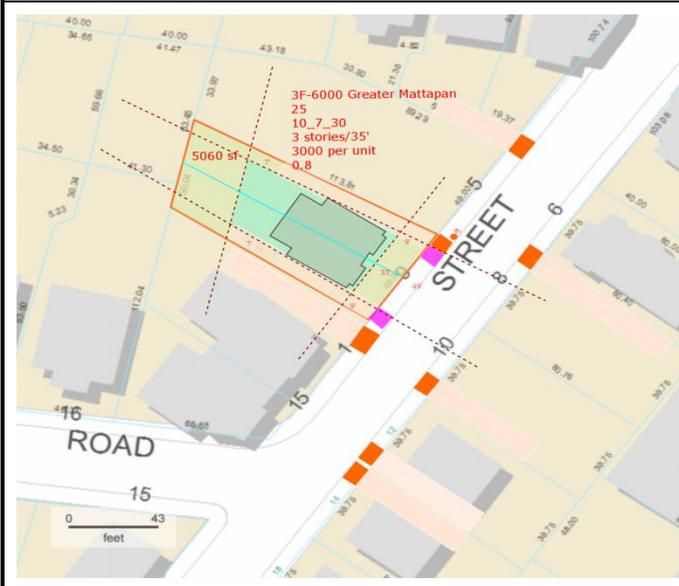


SITE 6: 9 LESTON STREET

Home Model: Duplex Type BB

Special Design Modifications: This building draws upon the hip roof single family units across the street. Simple gable dormers are placed at the roof level and the separation of each townhouse unit is articulated with a parapet that extends above the roof.

Site Preferences/Parking: The site is to be subdivided in order to create two fee simple townhouse units. A buffer between the driveway and the adjacent property is to be provided (even if it is small.) Minimize the driveway width and extend the driveway to the end of the building. At least one parking space per unit must be provided. New curb cuts are shown in purple and existing curb cuts are shown in orange.



9. AFFORDABILITY REQUIREMENTS & SUBSIDY FUNDING

The Neighborhood Homes Initiative has been designed to promote mixed-income communities by creating housing that is affordable to a wide range of income levels. DND's objective is to create homebuying opportunities for a range of income levels. Some homes will be affordable to households with moderate incomes (up to 80% area median income, or about \$71,000 for a family of three). Some will be affordable to middle-income homebuyers (up to 100% of area median income, or about \$89,000). Some will be sold at market price.

The rental units in the 2-family homes receiving City funding will be priced at rents affordable to households with incomes as low as 70% of area median income. DND's pricing requirement for the affordable homes will reflect these rent limitations. The rental units in market-priced 2-family homes will not be restricted.

To achieve these affordability objectives, DND will provide a development subsidy to the developer to cover the difference between the delivered cost of the home and the DND-determined affordable price for the moderate- and middle-income homes. The amount of development subsidy for each of the affordable homes will be determined by DND once the final construction budget has been set and the target sales prices have been established. These subsidy funds can be drawn by the developer during the construction period to pay for approved development costs.

NOTE: Full budget costs established at application must be held- the application budget is the final budget- to meet the target schedule and closing in the RFP.

NOTE: Developer Fee and Overhead is capped at 12.5% of total project costs for the moderate and middle- income homes. Applications will be more competitive, and DND review of applications will give preference to proposals that are below the 12.5% cap.

Subsidy funding is not available for the market rate homes.

DND's Commitment Letter for subsidy funding will require a Developer personal guarantee.

10. SUBMISSION INSTRUCTIONS

Proposers MUST submit an original and three (3) copies of the proposal in a sealed envelope to the Department of Neighborhood Development, Bid Counter (either in person or by mail) by 8/21/2017 at 4:00 p.m. The Bid Counter is located at:

26 Court Street, 10th Floor
Boston, MA 02108

Bid Counter hours are Monday—Friday from 9:00 a.m. - 4:00 p.m.

Under law, any proposals received after the date and time specified in this RFP must be rejected as non-responsive, and not considered for evaluation. Please plan accordingly.

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.

11. MORE INFORMATION

Formal questions may be submitted by mail or e-mail.

The last day for receiving formal questions is 8/14/2017 at 5 p.m. All formal questions should be received 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, 8th Floor
Boston, MA 02108

You may also contact the project manager, Christopher Rooney by phone (617-635-0493) with simple questions of clarification. However, verbal responses are not included in the public record and cannot be considered an official statement by DND regarding your proposal.

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.

12. REQUIRED PROPOSAL SUBMISSION DOCUMENTS

The following documents are required for all submissions:

- **Statement of Developer Qualifications** This is available at the same website as this RFP and is submitted separately. Only one *Developer Qualification Statement* is required regardless of how many packages of sites the Proposer is seeking to develop.
- **Proposal Forms** included in this RFP that provide the required project-related data necessary for DND to comparatively evaluate competing proposals. As outlined in Section 7, applicants must also submit a full construction cost line item budget, including general conditions, overhead and profit.

A third set of documents is required *only* where developers propose to substitute their own designs or are proposing substantive changes to the design to facilitate greater cost-efficiency:

- **Design Drawings** that show the substitute designs or the proposed changes to the building elevations or floorplans. These do NOT need to be full architectural drawings; they only need to be of sufficient clarity that DND can understand and evaluate the proposed changes.

PROPOSAL FORMS

The following is a list of standard forms 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.

- Appendix 1: Cover Sheet Form**
- Appendix 2: Development Financials for Market Rate Homes**
- Appendix 3: Development Financials for Affordable Homes**
- Appendix 4: Description of Key Construction Elements**
- Appendix 5: Development Timetable**

13. PROPOSAL EVALUATION PROCESS

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

1. First, proposals must meet the City's **Minimum Eligibility Criteria** as described below.
2. Proposals that meet the Minimum Eligibility Criteria will then be comparatively reviewed based on the **General Evaluation Criteria** described below. Rule of Award: the most advantageous proposal, taking into consideration all evaluation criteria, will be selected as the "Successful Proposer".
3. Finally, prior to designation by the Public Facilities Commission, the Successful Proposer will be subject to the **Statutory Compliance Requirements** as described in Section 1 of *Appendix 6* to determine compliance with various City regulations, ordinances and policies.

MINIMUM ELIGIBILITY CRITERIA:

1. **Proposal Received by Deadline.** Only proposals that are received by the date, time, and at the location indicated in Section 10 of this RFP will be accepted.
2. **Complete Proposal Submission.** Proposals must contain all necessary forms and documents and signatures as required in Section 12 of this RFP. Proposal submissions must be of sufficient detail and completeness that DND can fairly evaluate the proposal using the General Evaluation Criteria specified below. Proposals that fail to provide sufficient information for this review will be rejected.

GENERAL EVALUATION CRITERIA:

There are eight General Evaluation Criteria:

1. **Developer Experience and Capacity.** This will be evaluated based on the amount of experience that the development team has in residential development of the type and scale that they are proposing to undertake as described in Section 1 of the *Developer's Qualifications Statement*. Developers without significant experience are encouraged to engage an entity with relevant experience as part of their development team.
2. **Design and Construction Outcomes.** This will be evaluated based on how well the proposal achieves the overall design and construction objectives as specified by DND and approved by the local community as compared to other proposers. Information provided in *Appendix 4: Description of Key Construction Elements* will be the primary basis of this evaluation.
3. **Development Financials: Market Rate Homes.** This will be evaluated based on the overall financial feasibility of the proposed development including the reasonableness of the proposed costs and prices as specified in *Appendix 2: Development Financials for Market-Rate Homes*. Developers are advised that in order to facilitate evaluation of this criteria, DND may require additional information on specific costs and cost-reduction proposals for specific buildings to better understand the Development Financials.

4. **Development Financials: Affordable Homes.** This will be evaluated based on the reasonableness of the proposed costs listed in the Development Budget as specified in Appendix 3: Development Financials for Affordable Homes. Developers are advised that in order to facilitate evaluation of this criteria, DND may require additional information on specific costs and cost-reduction proposals for specific buildings to better understand the Development Financials.
5. **Revenue to the City of Boston.** This will be evaluated based on the amount of revenue that the City of Boston is expected to receive as specified in Appendix 2: Development Financials for Market-Rate Homes.
6. **Financial Capacity.** This will be evaluated based on 1) the feasibility of the developer's Construction Financing Plan as specified in Appendices 2 and 3, and 2) the developer's demonstrated capacity to secure the necessary financing as described in Section 2 of their Developer's Qualifications Statement.
7. **Development Schedule.** This will be evaluated based on the amount of time between developer designation and construction completion for each site, relative to other proposals for the same sites as specified in Appendix 6: Development Schedule.
8. **Boston Resident, Minority, and Female Economic Opportunity.** This will be evaluated based on both the *Construction Employment Plan* (Section 3 of the Developer's Qualifications Statement) and the *Business Opportunity Plan* (Section 4 of the Developer's Qualifications Statement) as permitted by law.

To facilitate the City's evaluation of some criteria, the City will require that the preferred developer present their development plan to the community. In making such presentations, developers may provide additional information, but only to clarify the project *as proposed*. Providing supplementary information that changes the project is not permitted under the laws that govern public property disposition.

Multi-Package Developer Selection Process. Where DND is offering a number of development packages concurrently, DND will use a sequential process for reviewing the Financial Capacity and Development Schedule criteria. DND realizes that once a developer has been selected for one package, its capacity to undertake additional packages in a timely manner is diminished. To account for this reality, DND will implement a sequential selection process, starting with the largest package and ending with the smallest. Once a developer has been selected for the largest package, its scoring on Financial Capacity and Development Schedule will be adjusted to reflect its reduced capacity before proceeding with the evaluation for the next-largest package. This process will be repeated until developers have been selected for all packages.

For Developers That Have Already Been Selected for a Previous NHI Package. Where a developer has already been selected for an earlier NHI package, DND will take into account its experience with the developer regarding those earlier packages when scoring a developer's Experience & Capacity and Financial Capacity.

14. ADJUSTMENTS TO DEVELOPMENT PLAN

DND reserves the right to make changes to the development plan where such changes further DND's development and affordability objectives as stated in this RFP. These changes include, but are not limited to:

Market-Rate Homes. To optimize financial feasibility for the market rate homes where DND provides no funding, DND will allow the developer greater flexibility on the market-rate sites. While the developer's proposal must specify their costs for the type of home *as specified in this RFP*, developers are permitted to propose significant changes, including substituting a different model house, in order to improve the financial feasibility of the market-rate sites. Those changes must be clearly enumerated on lines 25-28 of *Appendix 2: Development Financials for Market Rate Homes*. Where the changes from the community-approved design are substantial, Developers will be required to present those changes to the community prior to DND's formal designation of the developer through the Public Facilities Commission.

Additional Unforeseeable Costs. For the market rate homes, where additional development costs are revealed where, 1) the costs could not be reasonably anticipated by the developer at the time of proposal submission, 2) such costs are in excess of the developer's construction cost contingency, and 3) the costs make the development financially infeasible, DND reserves the right to allow modifications to the development plan. These modifications include, but are not limited to: 1) allow an increase in the sales price if supported by the market and/or 2) convert a market-rate site into an affordable site so that it may apply public resources to address the unanticipated development costs. In that event, DND also reserves the right convert an affordable site into a market rate site to maintain the income mix of the NHI development package.

For affordable homes, if substantial development costs that could not be reasonably anticipated are revealed after DND has entered into the Grant Agreement with the developer, and these costs exceed the developer's construction cost contingency, DND reserves the right to negotiate an amended Grant Agreement with the developer in order to ensure financial feasibility. DND also reserves the right to cancel the development of a site where it determines the additional financial expense is excessive.

Accessibility Adaptations and Window Guards Allowance. While the developer is not required to make allowances in their proposed budget for the additional costs for accessibility adaptations for persons with disabilities, or for window guard installations for families with small children, DND will include a reserve for these costs in its subsidy budget and will fully fund these costs for the affordable homes should they be needed at the time of closing with the buyer. DND will outline specific site and unit work necessary to address the accessibility requirement with the selected developer so that work can be incorporated into building plans prior to closing. DND will require such modifications on the market rate homes if needed. The budget line item #4 "Other Contingency" provides a place for developers to establish a reserve for these costs in the market rate homes. If the full allowance is not required, any unspent funds will be retained by DND.

Sales Prices for Market Rate Homes. DND acknowledges that home values may change between the time that a developer submits their proposal and the time that the homes go on the market. Where the market values for the market-rate homes are substantively higher or lower than the amounts specified by the Developer in their proposal, developers may adjust their prices to market values subject to DND review and approval and will be finalized at land conveyance closing. DND also retains the right to negotiate a higher or lower land acquisition cost as a result of the price adjustment.

15. STATUTORY REQUIREMENTS & TERMS AND CONDITIONS OF SALE

All property disposed of through DND is subject to a number of Federal, State and City statutory requirements. In addition, DND has its own policy requirements regarding its property sales. All of these requirements are enumerated in *Appendix 6: General Project Requirements*. **Note: Section 1 of Appendix 6 lists the Statutory Compliance Requirements that must be met before DND can proceed with a developer designation vote of the Public Facilities Commission.** In addition to the statutory requirements, DND also has standard terms and conditions for properties sold through the Neighborhood Homes Initiative enumerated in *Appendix 7*.

Developers that have decided that they wish to submit a proposal are strongly advised to review Appendix 6 and Appendix 7 to be sure that they fully understand their obligations should they be selected as developer.

**END OF VIOLET, NORFOLK, GOODALE, HOSMER & LESTON NHI REQUEST FOR PROPOSALS.
DND THANKS YOU FOR YOUR INTEREST**

*The following appendices provide the forms necessary to prepare a complete proposal submission for these sites.
REMEMBER: You will also need to complete and submit a Developer's Qualification Statement that can be obtained at the same on-line location as this Request for Proposals*

SOLICITATION, OFFER AND AWARD					
1. PROJECT NAME	2. TYPE OF SOLICITATION		3. DATE ISSUED		
Violet, Norfolk, Goodale, Hosmer & Leston NHI	<input type="checkbox"/> Invitation for Bids <input checked="" type="checkbox"/> Negotiated (RFP)		July 10, 2017		
4. ISSUED BY: City of Boston, Department of Neighborhood Development 26 Court Street, 11 th Floor Boston, MA 02108			5. ADDRESS OFFER TO: (If other than item 4)		
SOLICITATION					
6. SEALED OFFERS (original and 3 copies) will be received at the place specified in item 4 until 4:00 p.m. (EST) August 21, 2017 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 Christopher Rooney	7b. Telephone (617)- 635-0493	7c. Fax (617) 635-0383	7d. E-mail 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:	\$ _____	This is \$100 per parcel for the affordable homes plus the land price calculated for the Market-Rate homes in Appendix 2			
9. SUBMISSION CHECKLIST					
<input type="checkbox"/>	Cover Sheet Form (Appendix 1)		<input type="checkbox"/>	Development Timetable (Appendix 5)	
<input type="checkbox"/>	Financials: Market Rate Homes (Appendix 2)		Y/N	Developer's Qualifications Statement included	
<input type="checkbox"/>	Financials: Affordable Homes (Appendix 3)		Y/N	Developers Qualification Statement included with a different NHI Package: _____	
<input type="checkbox"/>	Key Construction Elements (Appendix 4)				
<input type="checkbox"/>	My signature below signifies that I have read the Terms & Conditions as specified in Appendix 7 and that I will abide by those requirements should I be selected as developer under this Request for Proposals				
10. ADDRESS OF OFFEROR _____ _____ _____			11. Name and Title of Authorized Signatory (Print) _____		
			12. Signature _____		
13. Phone Number _____			14. Offer Date _____		

Instructions for Completing Appendices 2 and 3:

Development Financials

For Proposers that have access to Microsoft Excel: if you have access to Exec 97 or later, you can download the Development Financial Forms in Excel format – this version has much greater functionality, self-calculating many more elements as well as ensuring that your budget balances. It is available for download from the same on-line location as this RFP was downloaded under the name "**VioletNorfolkGoodaleHosmerLestonAppendix2+3Excel**".

You should prepare an initial construction budget that meets all of the objectives as specified in the elevations and floorplans contained in this RFP and meets at least the minimum requirements of the Construction Guidance as described in *Section 7: Model Home Designs*.

The Gross and Net Square footage for each building is provided on the forms to facilitate your cost estimations, and are summarized here for consistency across all proposals. Respondents are still expected to examine the drawings provided. The net square footage does not include the area of the stairs as it is often estimated differently than other finished spaces. The square footage of stairs is also listed.

SQUARE FOOTAGES OF NHI MODEL HOME DESIGNS

House Type	1-Family Type A			1-Family Type A5			2-Family Type B (Norfolk)		
	GROSS	NET	STAIRS	GROSS	NET	STAIRS	GROSS	NET	STAIRS
Basement	621			749			1156		
First Floor	648	514	55	777	644	51	1194	957	125
Second Floor	691	559	55	620	470	53	1213	967	135
Third/Attic	0	0	0	0	0	0	980	780	32
TOTAL	1339	1073	110	1397	1114	104	3387	2704	292

House Type	Corner Duplex Type D (Evelyn)			Duplex Type BB			Flat Roof Duplex Type CC		
	GROSS	NET	STAIRS	GROSS	NET	STAIRS	GROSS	NET	STAIRS
Basement	1145			1,208	0		944		
First Floor	1181	1025	98	1,244	1,058	78	976	808	54
Second Floor	1181	1024	90	1342	1146	78	976	790	72
Third/Attic	938	761	78	0	0	0	976	790	72
TOTAL	3300	2810	266	2586	2204	156	2928	2388	198

You may then offer cost-saving revisions that will enhance financial viability. These are revisions that require changes to the designs as provided in this RFP. These revisions could include, as examples only, modifying the floorplan for more efficient installation of plumbing, revising the kitchen and bathroom layout to facilitate better use of prefabricated components. In addition to listing these recommended savings, Applicants are encouraged to provide, on a separate sheet, explanations of the advantages of the proposed changes.

APPENDIX 2: Development Financials for Market-Rate Homes

Instructions: Complete all shaded boxes, all other boxes will self-calculate.

PROPERTY ADDRESS	Violet Street (x2)	523 Norfolk St	TOTAL
HOUSE MODEL	1-Family Type A5	2-Family Type B	All Market Rate
GROSS SQUARE FOOTAGE	1,397	3,387	6,181
NET SQUARE FOOTAGE	1,114	2,704	4,932

CONSTRUCTION

1	Direct Construction Costs			
2	Hard Cost Contingency			
3	Allocation for potential soil remediation			
4	Other Contingency:			
5	Subtotal: Construction Expense			

GENERAL DEVELOPMENT COSTS

6	Survey/Siting & Permits			
7	Architect			
8	Legal			
9	Title & Recording			
10	Appraisal			
11	Real Estate Taxes			
12	Insurance			
13	Construction Loan Interest			
14	Construction Inspection Fees			
15	Utilities & Back Charges			
16	Fees to Construction Lender			
17	Other: <input style="width: 300px;" type="text"/>			
18	Other: <input style="width: 300px;" type="text"/>			
19	Other: <input style="width: 300px;" type="text"/>			
20	Other: <input style="width: 300px;" type="text"/>			
21	Soft Cost Contingency			
22	Subtotal: General Development			

DEVELOPER FEE & OVERHEAD

23				
24	TOTAL COST TO BUILD AS SPECIFIED			

RECOMMENDED COST-SAVING REVISIONS TO SPECIFICATIONS¹

	Describe	Savings	Savings	Savings
25	<input style="width: 380px;" type="text"/>			
26	<input style="width: 380px;" type="text"/>			
27	<input style="width: 380px;" type="text"/>			
28	<input style="width: 380px;" type="text"/>			

¹ You are encouraged to more fully explain the advantages of your proposed changes on a separate sheet, clearly marked "Cost-Saving Recommendations"

APPENDIX 2 Continued: Development Financials for Market-Rate Homes

SALES, LAND PRICING AND FINANCING PLAN

PROPERTY		Violet Street (x2)	523 Norfolk St	TOTAL
SALES				
29	Market Price			
30	Sales Expenses (Brokerage, Marketing etc)			
31	Net Proceeds From Sale			
LAND PRICE CALCULATION				
32	Net Proceeds From Sale (Line 31)			
33	Cost To Build As Specified (Line 24)			
34	Land Price			
	<i>Land Price is difference between Sales Proceeds (Line 31) and Cost To Build (Line 24), or \$100, whichever is greater</i>			
CONSTRUCTION FINANCING				
35	Total Development Cost Including Land (line 24 + Line 34)			
36	Construction Loan			
38	DND Land Financing ¹ (Line 34)			
39	Equity: Developer Fees/OH (Line 23)			
40	Other Equity:			
41	Other Equity:			
42	Total Sources – Construction¹			

¹This line should equal Line 35 (Total Development Cost Including Land) for your budget to be in balance

APPENDIX 3: Development Financials for Affordable Homes

Instructions: Complete all shaded boxes, all other boxes will self-calculate

PROPERTY ADDRESS	36 Goodale	9 Leston	11 Hosmer	523 Norfolk	TOTAL
HOUSE MODEL	1 Family Type A	Duplex Type BB	Duplex Type CC	Duplex Type D	
GROSS SQUARE FOOTAGE	1,339	2,586	2,928	3,300	10,153
NET SQUARE FOOTAGE	1,073	2,204	2,388	2,810	8,475
1 LAND ACQUISITION	100	100	200	100	500
CONSTRUCTION					
2 Direct Construction Costs					
3 Hard Cost Contingency					
4 Allocation for potential soil remediation					
5 Other Contingency					
6 Subtotal: Construction Expense					
GENERAL DEVELOPMENT COSTS					
7 Survey/Siting & Permits					
8 Architect					
9 Legal					
10 Title & Recording					
11 Appraisal					
12 Real Estate Taxes					
13 Insurance					
14 Construction Loan Interest					
15 Construction Inspection Fees					
16 Utilities & Back Charges					
17 Fees to Construction Lender					
18 Other:					
19 Other:					
20 Other:					
21 Other:					
22 Soft Cost Contingency					
23 Subtotal: General Development					
24 DEVELOPER FEE & OVERHEAD					
25 COST TO BUILD AS SPECIFIED					
Describe	Savings	Savings	Savings	Savings	Savings
26					
27					
28					
29					

APPENDIX 3 Continued: Development Financials for Affordable Homes

PROPERTY ADDRESS	36	9	11	523	TOTAL
	Goodale	Leston	Hosmer	Norfolk	
30 COST TO BUILD AS SPECIFIED (Line 25)					
31 Construction Financing ¹					
32 Equity: Deferred Developer Fees/OH (Line 24)					
33 Other Equity:					
34 Other Equity:					
35 TOTAL CONSTRUCTION FINANCING²					

Appendix 4: Description of Key Construction Elements

To fairly evaluate different proposals, DND is seeking more specificity on what it considers the most important construction elements that benefit the end buyers. Describe with as much specificity as you can your construction specifications/standards for the key construction elements listed below. If you prefer, you can provide this information on separate sheet(s), clearly labeled with your name and the title "Description of Key Construction Elements". *Be sure to address all of the items listed here.*

CONSTRUCTION ELEMENT	DESCRIPTION
Insulation	Indicate Type and Rating
Foundation Exterior Wall Roof & Attic Sound	
Exterior Materials	Describe materials; describe warranties
Roofing Siding Exterior Trim Window	
Floor Finish	Describe materials
Kitchen Bathroom Living & Sleeping Areas	
Appliances	Type, Size and Performance
Kitchen Laundry	

Appendix 4 continued: Description of Key Construction Elements

CONSTRUCTION ELEMENT	DESCRIPTION
Cabinetry & Countertops Kitchen Bathrooms	Describe materials
Heating System Heat Hot Water	Describe materials, energy rating and warranties
Plumbing Plumbing fixtures, faucets and accessories	Describe materials
Bath Lavatory, Faucet and Tub	Describe materials
Electrical Lighting	Describe materials

Appendix 5: Development Timetable

With an increasing need for additional new affordable homeownership housing in Boston, there is an urgency to start construction on NHI developments. DND has streamlined the NHI development process to ease the burden on developer and has made available site surveys, environmental tests, final design drawings and site plans to accelerate the predevelopment period. Therefore DND has established a development schedule for the project that must be adhered to.

DND Developer Designation/Award:	2 months from App. Due Date	(10/26)
Application to Inspectional Services Department:	1 month from Dev. Des.	(11/27)
If ZBA:	2 months from ISD App.	(1/29)
Permits:	4 months from Dev. Des. Date	(2/26)
Bank Commitment:	3 months from Dev. Des. Date	(1/26)
DND and Bank Project Closing:	4 months from Dev. Des. Date	(2/26)
Start Construction:	4 months from Dev. Des. Date	(2/26)

The following nine General Project Requirements are required of all Neighborhood Homes developments.

1. STATUTORY COMPLIANCE REQUIREMENTS:

All purchasers of real estate from DND must be in compliance with the following statutory requirements:

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.

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.

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.

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.

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.

Equal Opportunity Housing. The City administers its programs in accordance with federal, state and local equal opportunity and fair housing laws, regulations and requirements. This includes affirmatively advertising and providing equal access to information regarding housing and development opportunities. The Boston Fair Housing Commission will screen all proposers. Any proposer who fails to satisfy this requirement may be deemed to be ineligible for conveyance of the Property.

2. OFFER PRICE.

The minimum acceptable offer price for the property is \$100 per parcel. Religious Organizations – In accordance with Massachusetts Constitution religious organizations must pay 100% of the appraised value of the any public property as established by a qualified appraiser.

3. TITLE.

While DND has conducted title examinations of the properties, DND makes no warranty or representations as to the accuracy of such reports and recommends that Proposers conduct their own title examinations.

4. SURVEYS.

DND will provide complete predevelopment site surveys to the selected developer including property line, utility and topographical information. The surveyor will be authorized to reissue the complete survey to the selected developer.

5. MISCELLANEOUS FEES.

Applicants are responsible for budgeting for all miscellaneous fees, including fees at the Department of Public Works, Boston Water and Sewer Commission, Inspectional Services Department, as appropriate. These fees should be included in the budgets for the affordable and market rate homes.

6. PROJECT MANAGEMENT

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 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. The Successful Proposer will confirm all scheduled project milestones with DND prior to initiating work.

7. PROPOSER’S DESIGNATED REPRESENTATIVE.

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.

8. TIMELY DEVELOPMENT.

The Successful Proposer will produce an appropriate plan of development that satisfies the City’s needs within specified time frames. If the Property has not been developed according to the proposal specifications and sold to a homebuyer within two (2) years, DND may choose to grant additional time for performance or to rescind the contract, at its discretion. The determination of whether services were performed satisfactorily is at the sole discretion of DND.

9. PROPERTY MANAGEMENT.

The Successful Proposer will be ultimately responsible for the condition of the property. They must take any steps necessary to keep the property free of trash, debris, and snow.

10. FAIR HOUSING.

DND administers its development programs in accordance with federal, state and local equal opportunity and fair housing laws, regulations and requirements. This includes affirmatively furthering fair housing and providing equal access to information about development opportunities. Pursuant to this policy, all NHI homes will be affirmatively marketed in accordance with the NHI Blanket Affirmative Marketing Plan.

11. BOSTON JOBS & LIVING WAGE ORDINANCE.

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, you 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.

The City, acting by and through its Public Facilities Commission by the Director of DND, is soliciting proposals for the acquisition of, and funding for, the properties located at Violet Street, Violet Street, 523 Norfolk Street, 36 Goodale Road, 11 Hosmer Street, Hosmer Street and 9 Leston Street. 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 specified on the Proposal Cover Page.

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 mixed-income housing; 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.

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.

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)).

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.

“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.

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.

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.

Restrictions on Transfer. All properties sold under the Neighborhood Home Initiative will have a deed restriction requiring owner-occupancy. Homes that are designated as “affordable” will also have a 50-year deed rider and mortgage on the end homebuyer that requires owner-occupancy, prohibits condominium conversion, and limits future resale prices. The Successful Proposer will only be permitted to transfer the property to a homebuyer under terms specified by DND. Any other transfer or failure to fulfill the development requirements specified by DND will trigger a reversionary clause in the deed, automatically transferring title of the Property back to DND.

Payment. Unless otherwise agreed in writing between DND and the Selected Developer, DND requires payment in full by a treasurer’s or cashier’s check, for the full purchase price at the time that the property is conveyed. In addition, the Selected Developer will be responsible for making a pro forma tax payment, as well as paying all recording and registration fees including, but not limited to, the cost of recording the Deed and conveyance documents at the Suffolk County Registry of Deeds.

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.

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.