



ADVERTISEMENT

CITY OF BOSTON
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT

REQUEST FOR PROPOSALS (RFP)

GRASSROOTS OPEN SPACE PROGRAM - Urban Agriculture Land Lease

The City of Boston acting by and through its Public Facilities Commission by the Director of the Department of Neighborhood Development (DND) is seeking proposals for its Grassroots Program Urban Agriculture Land Lease RFP. This RFP is intended to assist initiatives for the development of urban agriculture in the City of Boston, increase local food growing opportunities and provide community benefits. The City seeks proposals from qualified individuals, businesses, and/or organizations to lease these properties for the cultivation and sale of plants, herbs, fruits, flowers or vegetables, either as for-profit or not-for-profit enterprises. The Grassroots Program anticipates the lease of approximately 38,878 square feet of vacant land intended for urban agricultural use based on and in response to this RFP.

The leased properties are listed by site as indicated.

Site 1

131 Glenway Street (also known as 6 Bradshaw Street) (Ward 14, Parcel# 02640000), Dorchester, MA, approximately 11,443 square feet.

Site 2

18-24 Standish Street, (Ward 14, Parcel# 02325000), Dorchester, MA approximately 8,810 square feet.

Site 3

23 and 29 Tucker Street, (Ward 14, Parcel# 02832000 & Ward 14, Parcel# 02833000), Dorchester, MA approximately 18,625 square feet.

The Request for Proposals package will be available on **July 11, 2011** at the Bid Counter, Department of Neighborhood Development, 26 Court Street, 10th Floor, Boston, MA 02108, or you may download the package by registering at <http://www.cityofboston.gov/dnd/rfp/>. A bidders' conference is scheduled for July 25, 2011 from 5pm to 7pm in the Winter Chambers on the 1st floor at DND, 26 Court Street, Boston, MA 02108. Any questions regarding the RFP process must be sent by e-mail to Jay A. Lee, Assistant Director of Design Construction Openspace, at jlee.dnd@cityofboston.gov. Responses to pertinent questions will be distributed in writing to each person on record as receiving a RFP. Completed proposals must be submitted as stated in the application package and returned to DND, Bid Counter, 10th Floor, 26 Court Street, Boston, MA 02108, on **August 15, 2011**, by no later than 4:00 PM. **LATE PROPOSALS WILL NOT BE ACCEPTED.**

Evelyn Friedman
Chief and Director

PLEASE NOTE: DND BID COUNTER HOURS ARE: MONDAY- FRIDAY 9:00 AM – 12:00 NOON AND 1:00 PM – 4:00 PM. PLEASE PLAN ACCORDINGLY.

CITY OF BOSTON
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT
GRASSROOTS PROGRAM



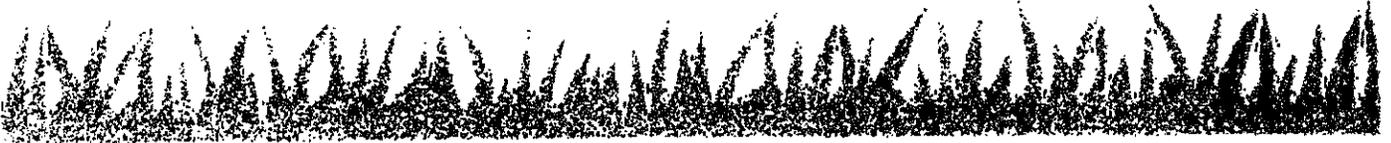
REQUEST FOR PROPOSALS

For Urban Agriculture Land Lease

RFP Deadline: August 15, 2011

Thomas M. Menino, Mayor
Evelyn Friedman, Chief of Housing and Director

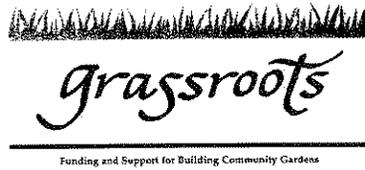
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Grassroots

Funding and Support for Building Community Gardens

**BOSTON DEPARTMENT OF NEIGHBORHOOD
DEVELOPMENT**



REQUEST FOR PROPOSALS FOR
URBAN AGRICULTURE LAND LEASE

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REQUEST FOR PROPOSALS (RFP) URBAN AGRICULTURE LAND LEASE

BOSTON DEPARTMENT of NEIGHBORHOOD DEVELOPMENT NHD / GRASSROOTS OPEN SPACE AND COMMUNITY GARDEN PROGRAM

The Request for Proposals will be available on **July 11, 2011** at the Bid Counter, Department of Neighborhood Development, 26 Court Street, 10th Floor, Boston, MA 02108, or you may download the package by registering at <http://www.cityofboston.gov/dnd/rfp/>.

DISCLAIMER: *The City of Boston will attempt to communicate to applicants any changes/addenda to this application package; however, it is the responsibility of the applicant to check the Department's website regularly for any updates, corrections, or information about deadline extensions*

SECTION 1: Program Description and Purpose

INTRODUCTION

The Pilot Urban Agriculture Project is a component of the “Food Initiatives” Mayor Thomas M. Menino announced in 2010, which seeks to engage the public around food issues and identify ways to make fresh nutritious affordable food more widely available to Boston residents. As the City seeks ways to improve their citizens’ health, address climate change and provide sustainable methods of delivering goods and services, we are creating opportunities for communities to grow food for themselves, recognizing the growing awareness of the positive health, economic and environmental benefits of growing and producing fresh food locally. Urban farms reduce the carbon emissions and fuel costs associated with driving food into the city. They also address the unhealthy impacts of poor nutrition by providing direct access to locally grown food closer to where residents live. Thus this pilot urban agriculture project has been developed to promote a burgeoning interest in urban agriculture as a way to make fresh, nutritious food available to Boston residents through the following objectives:

- Increase access to affordable and healthy food, particularly for underserved communities.
- Promote greater economic opportunity and greater self-sufficiency, including increasing the capacity of Boston residents and businesses to grow and distribute local and healthy food.
- Increase education and knowledge around healthy eating and food production, particularly among youth.
- Increase partnerships with and between regional producers.
- Increase healthy food supplies to local schools, organizations, and institutions.

GOALS, VISION AND ANTICIPATED OUTCOMES

The pilot urban agriculture project has been shaped by engaging the public in a conversation about food & farming issues through a collaboration between the Mayor’s Office, the Department of Neighborhood Development (“DND”) and the Boston Redevelopment Authority (“BRA”). Ongoing community participation and engagement must be a key feature of any farming proposal. Community residents are not only to be served in terms of benefit from the farm’s produce but are also envisioned to be key decision makers in the shaping of the farm’s activities and goals.

URBAN FARMING MODELS

The success of urban agriculture on these leased properties will be dependent on the ability of an individual or team of individuals to organize, operate and manage a ¼ to ½ acre farming site, including the sales and marketing of produce to Boston residents. The City recognizes that it may be necessary for respondents to form partnerships between individuals or organizations with different expertise in order to create a viable proposal and/or provide community benefits. In the process of developing the pilot urban agriculture project, the following three farming models have been discussed with community members. They are included here within the RFP to assist respondents in clearly describing the composition of the farm, how it will operate and the decision making structure of the farm.

- *Individual Farm Model* is a farm where a single farmer, individual organization or business cultivates the site and makes key decisions about the operations and activities of the farm.
- *Cooperative Farm Model* is a farm composed of a small group of two to five farmers who subdivide the farming site into individual plots. The group shares resources, tools, equipment, structures, and utilities.
- *Community Stakeholder Farm Model* is a farm where community members come together to create an organization or business that will support the farm financially. Each member has an economic stake in the land and decisions about the operations and activities of the farm are made in conjunction with a steering committee. Typically one or two farmers lead the farming operations.

SECTION 2: Urban Agriculture Land Lease

The City of Boston's Department of Neighborhood Development ("DND"), through its Grassroots Openspace Program (Grassroots) and the Real Estate Management & Sales Division ("REMS"), is pleased to invite proposals for the lease of vacant, city-owned properties for agriculture use with the goal of producing fresh healthy food for sale. The City seeks proposals from qualified individuals, businesses, and/or organizations to lease these properties for the cultivation and sale of plants, herbs, fruits, flowers or vegetables, either as for-profit or not-for-profit enterprises. Local community members are strongly encouraged to submit proposals and/or develop partnerships with local community organizations.

This RFP is designed to inform prospective applicants about the objectives of the pilot urban agricultural project and key benefits & outcomes sought by community residents. In addition, the RFP describes DND's proposal submission requirements for land lease, the evaluation process required for each applicant's proposal, and the requirements and responsibilities of leasing these properties.

FARMING SITES

The leasing of the following parcels is intended to promote the pilot urban agriculture project and its objectives. All sites must be maintained and managed for agricultural use during the term of land lease. The City of Boston will lease each site for a period of five (5) years; subject to the approval of the City of Boston, there will be an option to extend the lease in five (5) year increments for a maximum of ten (10) additional years. These land parcels are currently owned by DND and consist of the three (3) sites described below. They will be collectively referred to as "the leased property."

- **Site 1** is the "Glenway Site," located at 131 Glenway Street (also known as 6 Bradshaw Street), Dorchester.
- **Site 2** is the "Standish Street Site," located at 18-24 Standish Street, Dorchester.
The Standish Street Site is adjacent to a parcel of land owned by the MBTA. A separate lease of this land has been discussed with the MBTA. The City would like to make potential respondents aware that the selected farmer for the Standish Street Site may be able to enter into a separate lease with the MBTA for use of the property.
- **Site 3** is the "Tucker Street Site," located at 23 and 29 Tucker Street, Dorchester.

For a complete list of addresses, parcel ID numbers and the square foot areas of the specific parcels advertised in this RFP, please refer to the "Property Descriptions" in Section 10.

SECTION 3: Site Planning, Design & Development Requirements

Proposals for the development of the leased properties must provide a narrative description and design drawings illustrating the planned changes to the existing site & proposed agricultural use. The City will only consider proposals for the total development of the site. All new structures, utilities, raised bed planting areas, pathways, edging, curb cuts, existing trees to be removed, contours, fencing, etc. must be graphically illustrated and noted on a site plan (See Section 11 for reference.) Both the narrative description and design documentation submitted in the proposal must include a plan as to how the following items will be addressed:

WATER ACCESS

Selected applicants should be aware of applicable development requirements contained in the Boston Water and Sewer Commission (BWSC) Site Plan Requirements and Cross Connection Control Regulations and Guidelines. Copies of these regulations are available at www.bwsc.org. Additionally, selected applicants will be responsible for complying with existing and anticipated storm water management regulations and standards promulgated by the Environmental Protection Agency (EPA), Massachusetts Department of Environmental Protection (DEP) and BWSC regulations regarding the use of wastewater and storm water systems (www.bwsc.org). Information on existing and anticipated storm water regulations is available from DEP (www.mass.gov/dep).

Water drainage (typically but not limited to rainfall and irrigation) must remain on site. Changes in topography created by the removal or addition of soil must maintain ALL water on site. Respondents must provide a narrative description and show these water collection systems and changes in topography on the site plan.

WATER SERVICE

The City is working with BWSC to provide water service to each site. A water meter within a lockable metal cabinet on a concrete pad is anticipated to be connected to a ¾" Type K copper service. The selected farmer for a leased property will be expected to set up an account with BWSC and pay for water usage. The approximate location of the water service is shown in the site plans provided for reference in Section 11. Additional or alternate water access locations and other utilities are to be illustrated graphically in the site plan. Respondents must provide a narrative description of the water service needs and show how the water service interacts with other site elements on the site plan.

SAFE SOIL MANAGEMENT PROTOCOLS

Soil management protocols included in this RFP in Section 11 have been established and incorporate research conducted by environmental and soil science professionals, established practices of the Boston gardening community and a methodology, recognized by the Massachusetts Department of Environmental Protection, for controlling and

separating the existing soil conditions from contact with people and produce. These practices manage the possible contaminants from the historical use of lead paint, leaded gasoline, and Boston urban fill. Respondents must provide a narrative description of how these practices will be implemented and their frequency. Any additional procedures are also to be described within the narrative. Items (a.) through (g.) are guidelines that must be specifically addressed in the narrative and graphic documentation of the site elements unless otherwise noted.

- a. *During start up and construction of the farm, all soil and compost brought to the leased properties is to be tested by a third-party based on practices outlined in Section 11. The results of the soil testing and documentation certifying that soil and compost meets the standards for agricultural use must be forwarded to DND and included in the annual report provided to DND and to the local community annually.*
- b. *All growing areas must use raised bed construction. Respondents are to describe the means and methods of constructing and maintaining raised bed construction on the site. If lumber is used to retain soil, the lumber must be untreated.*
- c. *A commercial grade geo-textile fabric system is required. Geo-textile fabric systems are durable barriers placed over the existing ground, which keep the existing soil and possible containments separated below the fabric. Clean tested soil and compost is placed on top. The fabric system must not allow imported soils to mix with the existing soil or possible containments beneath.*
- d. *Respondents are to provide a list of the plants to be grown and the proposed depth of soil used. 12 to 18 inches of soil is typical for raised beds depending on the topography of the site and types of plants grown. Maintaining the separation between the existing ground and new soil conditions is required. Both additional soil depth and additional barrier systems will be required if the proposed system for the growing activity is not sufficient.*
- e. *NOTE: The City anticipates donations of soil and compost for raised beds to cover each leased property 12 inches in depth. Respondents are to specifically break out and list the soil and compost, estimated quantities and the value of these donations within the capital improvement budget.*
- f. *Farmers must outline and provide to DND their soil testing procedure once farming activities begin. Soil testing must take place at least twice a season, prior to planting and prior to the harvesting season. Respondents are to be specific about the number of locations on the leased property being tested and the anticipated testing dates.*
- g. *Plant tissue testing is a strongly recommended management practice but not required. Respondents are to describe their plant tissue procedure or limitation, if any, to conducting plant tissue testing seasonally. The selected applicant(s) must work with the farming community and experts in the field to determine a "best practice" standard for this testing procedure. The plant tissue testing results are to be submitted to DND.*

SEASON-EXTENDING STRUCTURES

Respondents must provide a graphic illustration of the appearance, dimensions, location, and building materials associated with any structures proposed for agricultural operations

including cold frames, hoop houses and greenhouses. The design of the site and any structures is subject to review and approval by DND and BRA staff.

ORGANIC GROWING PRACTICES – PESTICIDE, HERBICIDE OR FUNGICIDE USE

Respondents must describe how organic growing practices will be used. The narrative must demonstrate an understanding of growing practices based on Integrated Pest Management (IPM) techniques, reliance upon accurate pest identification, scouting, monitoring and action thresholds, with biological and alternative (preventative) control practices and selective pesticide applications only when necessary.

Respondents are to disclose the intent to spray or otherwise apply agricultural chemicals or pesticides not approved for organic production, describe the frequency and duration of application, and the plants, diseases, pests or other purposes they are intended for. DND must pre-approve all applications in coordination with the Department of Environment.

Respondents are to be aware that in the event that biological and alternative (preventative) control practices are insufficient, farmers are to use pesticides approved for use in organic production. If the plant pest problem cannot be sufficiently controlled with such practices, DND in coordination with the Department of Environment will work with the farmer to define the plant pest problem, which may require a pesticide not approved for organic production. In addition to the product labeling, which must be followed, DND in coordination with the Department of Environment will work with the farmer to define additional precautions during application.

PROVISIONS FOR PERSONS WITH DISABILITIES

The project must be designed to fully comply with the provisions of the Americans with Disabilities Act. Respondent must describe how the proposal will address these provisions.

VEHICULAR ACCESS

Throughout the entire term of the lease, including the development and operation phases of the project, the potential impacts on the surrounding area are to be considered. The project must be designed with satisfactory consideration to traffic flow, parking, and pedestrian safety, during and after construction. The narrative description and site plan is to define the number and type of vehicles, including pickup and delivery, employee, and visitor vehicles, that will access the site, time of day, and where they will park. The vehicular access plan will be subject to the approval of DND and the Boston Transportation Department.

VISUAL IMPACT AND SCREENING

In addition to the graphic illustration of the proposed location, design, and size of proposed structures and agricultural activities, including composting activities, temporary or permanent structures, and planting areas, the site plan is to indicate proposed landscape screening and fencing.

Existing fencing may not be removed unless it is replaced. All existing fencing is to be repaired and painted to be compatible with the neighborhood. New fencing at side yard and rear yard boundaries is to be heavy-duty vinyl-covered chain link fencing at least 48 inch high, with 2 inch diameter, black, hot-dipped galvanized posts (painted black) no more than 10 feet apart and set in concrete footings 8 inch in diameter and at least 30 inch below finish grade. Provide top and bottom rails as recommended by manufacturer. All new fencing at the street edge is subject to BRA and DND approval. At minimum fencing is to be painted eastern red cedar picket fencing, 42 inch high, with 4-inch square capped-posts spaced no greater than 8 feet on center. Include one (1) latching gate.

Screening is to be provided using a planting area in the five foot buffer area shown in the reference illustrations in Section 10. The design of screening, parking and on-site structures is subject to review and approval by DND and BRA.

USE OF MECHANICAL EQUIPMENT

Respondents must describe the type of mechanical equipment, intended use, frequency and duration of use, each month. No mechanical equipment may be operated outside the hours of 8:00 a.m. to 6:00 p.m. daily, and no mechanical equipment may be operated on Sundays. Noise ordinances will also regulate activities on the site.

HEALTH AND ENVIRONMENTAL PROTECTION STANDARDS

Lessee shall certify that all operations comply with applicable health and environmental regulations promulgated by the Department of Environmental Protection and the Boston Public Health Commission.

NOISE AND ODOR

Respondents must describe any noise and odor generating activities, including machinery, trash, compost storage, any structures, and a description of the proposal's plan to mitigate any impacts on adjacent properties.

MAINTENANCE

Respondents are to provide a description of how the leased property will be maintained at all times. The leased property must be maintained in an aesthetically appealing and safe manner, free of any graffiti and all debris (including removal of snow) on the site and along sidewalks.

SECTION 4: Review for Eligibility

Proposals must be received at the DND Bid Counter on or before the deadline or they will not be accepted. All proposals will be opened by DND staff at the deadline, recorded, and reviewed first for eligibility and then ranked for selection. Eligible proposals will be scored and ranked according to the selection criteria. Proposals considered ineligible will not receive further consideration. The proposal for each site which receives the highest score and which satisfies all the Pre-Lease Award Requirements will be recommended for tentative designation by the Public Facilities Commission. Please note the Department of Neighborhood Development reserves the right to reject any and all proposals.

Any questions regarding the RFP process must be sent by e-mail to Jay A. Lee, Assistant Director of Design Construction Openspace, at jlee.dnd@cityofboston.gov. Responses to pertinent questions will be distributed in writing to each person on record as receiving a RFP.

MINIMUM QUALIFICATION CRITERIA

To participate in this RFP for Urban Agriculture Land Lease, organizations must meet the following standards. Proposals from organizations that fail to meet this criteria are considered ineligible for further review.

Completeness of Submission

Applications must be complete, labeled and sealed as described in the Grassroots Application Instructions. Please see the attached application package included with instructions as part of this Request for Proposals. All forms must be completed.

Compliance with the RFP Goals

Proposed work must meet the purpose of this RFP, which is to create urban agriculture opportunities by the leasing of city-owned land to responsible non-profit or for-profit entities.

Business Plan

Applicants must provide a business plan as a separate document. The required elements of the business plan are listed in Section 5.

SECTION 5: Evaluation Criteria

APPROACH TO COMMUNITY ENGAGEMENT

Applicants are to provide a plan for community participation and engagement in the farm operations and business activities. It is important that applicants consider how community residents and abutters to the property will be involved in the decision making of the farm and its activities. Applicants are to consider the following definitions in the response to this evaluation criteria:

Board of Directors

A Board of Directors shall be defined as a Steering Committee or decision-making body for an organization that is responsible for the organization's goals, policies, and overall direction.

Community Advisory Board

A Community Advisory Board shall be defined as an advisory body that convenes regularly to advise the farmer concerning farming activities that affect the neighborhood, such as, compliance with community benefits, farming operations, community relations, maintenance, noise, traffic and other potential nuisances.

Community Members

Community members shall include individuals who reside within Dorchester or Mattapan, particularly residents living within a quarter mile radius of the leased properties. Community member shall also be defined to include community organizations and businesses that reside in or have a place of business in Dorchester or Mattapan.

Abutters

Abutters shall be defined as community members who reside directly adjacent to or in close proximity (300 feet or less) to the leased properties.

Urban farming experts

Urban farming experts shall be defined as individuals with experience in urban farming operations or management practices or related activities.

BUSINESS PLAN

A complete business plan must include the following items:

1. A narrative description of the farming endeavor including a description of the goals and objectives of the business.
2. An assessment of the market being targeted including an overview of similar farms/businesses in the "market" area, the unmet or different need the farm will fill in the community or "market" area and a numerical assessment of the demand (the potential size of the market) for the product or services being provided by the farm.
3. A detailed review of the management team and how they are qualified to manage this business or enterprise. (See Experience below).

4. A description of marketing strategy and a plan for bringing produce to market. The business plan should identify the farm's target market – the individuals, organizations or businesses that will purchase produce or other items from the farm.
5. An annual operating budget (years 1-5) including revenue, expenses, overhead and profit. Key factors include an estimate of the total yield each season and the percentage of produce distributed at a reduced sales price or donated.
6. A capital budget, which includes the expenses and sources of funds used to finance the start-up of the farm, including the initial lease and all costs associated with the preparation of the property. (See Question #5 – Financial Capacity)
7. A detailed timetable/schedule of the farming start-up and on and off-season operations and maintenance, from initial site preparation and years 1 through 5.

COMMUNITY BENEFITS

Applicants are to provide a plan for providing key community benefits and outcomes sought by the community, which will be a part of the farming operations and activities. The following community benefits have been developed from input received at community meetings. Applicants are not limited to the following list. The applicants will be evaluated on the number and quality of benefits proposed.

Key Community Benefits are listed here in order of priority:

1. Make a portion of farm produce available to local residents at an affordable price. (If applicable, applicants must describe how low cost CSA's, food stamps, bounty bucks, etc. will be operated and maintained.)
2. Provide farm operations & business related education, job training and internships to local residents, especially Boston youth (persons 25 and under.)
3. Make available a portion of farm produce to Dorchester and Mattapan schools.
4. Donate a percentage of produce to Dorchester and Mattapan food pantries.
5. Make available a portion of farm produce to Dorchester and Mattapan stores.

EXPERIENCE - ABILITY TO DEVELOP, MANAGE, MAINTAIN, & OPERATE THE PROPERTY

Applicants are to provide a general overview of ability to manage the proposed farming endeavor. Examples of agricultural, farming, or vegetable growing endeavors, land management experience, relevant experience operating a business, including marketing and sales, are to be described in this overview. Applicants are also to include a detailed narrative review of each member of the management team, their role and how they are qualified to manage the farm/business proposed. Resumes of key management team members are to be provided. Other documentation, references or contracts, which can demonstrate relevant experience, knowledge or skills, is encouraged

FINANCIAL CAPACITY

Applicants are to provide evidence of financial capacity, secured sources of funding and a list of all proposed sources of funding with the status of the funding proposed (awarded, committed, applied for, etc.). Detailed capital and operating budgets are to be included in the business plan.

SITE PLANNING

Applicants are to provide two (2) copies of proposed site planning, design and development of the leased properties. To be considered complete, documentation will address all the requirements set forth in Section 3.

SECTION 6: Comparative Evaluation

Proposals, which satisfy the minimum threshold requirements, will be evaluated and ranked according to the following evaluation criteria, with each criterion having equal weight, from excellent, good, fair, or poor. The City's Selection Committee shall then assign a composite rating for each proposal evaluated, the eligible and responsive proposal with the highest composite rating being deemed the most advantageous proposal for the site applied for.

APPROACH TO COMMUNITY ENGAGEMENT

- Applicants who are community members and have established a Board of Directors comprised of community members and/or abutters, as well as experts in urban farming, shall be eligible to be ranked as **Excellent**.
- Applicants who are community members and have established a Community Advisory Board comprised of community members and/or abutters, as well as experts in urban farming, shall be eligible to be ranked as **Good**.
- Applicants who are community members that have not established a community advisory board nor a Board of Directors comprised of community members and/or abutters, shall be eligible to be ranked as **Fair**.
- Applicants who are not community members and have not established a community advisory board or a Board of Directors comprised of community members and/or abutters, shall be eligible to be ranked as **Poor**.

BUSINESS PLAN

- Applicants that provide a detailed business plan that demonstrates a comprehensive understanding of the business & development process will be eligible to be ranked as Excellent.
- Applicants that provide a complete business plan that demonstrates a general understanding of the business & development process will be eligible to be ranked as Good.
- Applicants that provide a business plan lacking some detail that demonstrates a limited understanding of the business & development process will be eligible to be ranked as Fair.
- Applicants that provide a business plan that does not demonstrate an understanding of the business & development process will be eligible to be ranked as Poor.

COMMUNITY BENEFITS

- Applicants that provide three or more community benefits, including two of the top three listed in Section 5, shall be eligible to be ranked as Excellent.

- Applicants that provide two community benefits, including one of the top three listed in Section 5, will be eligible to be ranked as Good.
- Applicants that provide one community benefit will be eligible to be ranked as Good.
- Applicants that do not provide community benefits will be eligible to be ranked as Poor.

COMMUNITY SUPPORT

- Applicants that provide letters of support from abutters to the leased property, neighborhood residents, at least two letters from elected officials and at least two letters from local community organizations will be eligible to be ranked as Excellent.
- Applicants that provide letters of support from neighborhood residents, at least one letter from an elected official and at least one letter from a local community organizations will be eligible to be ranked as Good.
- Applicants that provide letters of support from at least one local community organization will be eligible to be ranked as Fair.
- Applicants that do not provide letters of support will be eligible to be ranked as Poor.

EXPERIENCE - ABILITY TO DEVELOP, MANAGE, MAINTAIN, AND OPERATE THE PROPERTY

- Applicants that provide evidence of their ability to successfully manage and develop one or more agricultural properties for a period of five years or more, which is consistent with or similar to the applicants' development concept, will be eligible to be ranked as Excellent.
- Applicants that provide evidence of their ability to successfully manage and develop one or more agricultural properties for a period of three to four years, which is consistent with or similar to the applicants' development concept, will be eligible to be ranked as Good.
- Applicants that provide evidence of their ability to successfully manage and develop one or more agricultural properties for a period of one to two years, which is consistent with or similar to the applicants' development concept, will be eligible to be ranked as Fair.
- Applicants that do not provide evidence of their ability to successfully manage and develop an agricultural property, which is consistent with or similar to the applicants' development concept, will be eligible to be ranked as Poor.

FINANCIAL CAPACITY

- Applicants that provide documentation of secured funding sources, available cash on hand or a commitment letter from a lending or funding institution sufficient to finance the total development costs proposed are eligible to be ranked as Excellent.
- Applicants that provide a pre-approval letter from a lending or funding institution are eligible to be ranked as Good.
- Applicants that provide a letter of interest are eligible to be ranked as Fair.
- Applicants that do not provide evidence of financial capacity sufficient to finance the total development costs proposed are eligible to be ranked as Poor.

SITE PLANNING

- Applicants that provide completed & detailed site planning, design and development documentation will be eligible to be ranked as Excellent.
- Applicants that provide complete site planning, design and development documentation will be eligible to be ranked as Good.
- Applicants that provide site planning, design and development documentation lacking some detail will be eligible to be ranked as Fair.
- Applicants that provide incomplete site planning, design and development documentation will be eligible to be ranked as Poor.

SECTION 7: Selection Procedure

The City will review and evaluate proposals promptly after the submission deadline of August 15, 2011. Evaluation of proposal and selection of the most advantageous proposal will be based solely upon the evaluation criteria listed in Section 5 of this RFP. The City reserves the right to waive portions of the RFP for all Proposers, to excuse minor informalities in a proposal or to reject all proposals, if deemed in the best interest of the City.

INITIAL REVIEW

The City will identify any proposals that do not meet the submission requirements. Such proposals will be rejected. In the event of minor informalities, the City may attempt to clarify a proposal in order to determine whether it meets the requirements of this RFP but reserves the right to declare the proposal as non-qualifying. Proposals that do meet the submission requirements will undergo evaluation and ranking according to the evaluation criteria in Section 5

SELECTION COMMITTEE & POST SELECTION

Once the City has identified the proposals that satisfy the submission requirements, the City's Selection committee will analyze them according to each of the evaluation criteria of Section 5. The proposal with the highest composite rating which satisfies all the terms of this RFP shall be deemed the most advantageous proposal for the site applied for. The most advantageous proposal for each site will be required to present at a community meeting.

The City reserves the right to work with the highest ranked applicant to refine the proposal based on community input. The selection committee will recommend the Selected Lessee to the Director of DND.

ZONING

Organizations proposing to use the leased properties for urban agricultural use must manage the property according to zoning requirements and the lease agreement with the City of Boston. The BRA Board has petitioned the Boston Zoning Commission to approve text and map amendments that would establish an Urban Agriculture Overlay Districts that would apply to the four subject properties. The Zoning Commission will hold a public hearing to adopt the text and map amendments as soon as the Selected Lessee has been recommended to the Director of DND.

SECTION 8: Pre- Lease Award Requirements

All proposers are subject to the following reviews and must satisfy the following requirements prior to, and as a condition of, entering into a lease with the City. In the event that they do not satisfy these requirements, they will be disqualified and the City may elect to proceed to award the lease to the next highest ranked eligible Proposer pursuant to this Request for Proposals. Prior to the award of a lease, Proposers will be required to complete and execute the "City of Boston - Department of Neighborhood Development Property Affidavit" (attached hereto as "Exhibit A") so that the City may perform these reviews.

TAX DELINQUENCY REVIEW

The City of Boston's Office of the Collector-Treasurers Office will conduct a review of the Proposer's property tax history. The Proposer cannot be delinquent in the payment of taxes on any property owned within the City of Boston. A selected Proposer must cure such delinquency prior to award of a lease with the City. However, any Proposer who has been foreclosed upon by the City of Boston for failure to pay property taxes will be deemed ineligible to be awarded a lease unless such Proposer, promptly causes the Decree(s) or Judgment(s) of Foreclosure to be vacated by the Land Court, and the City of Boston made whole; DND, in its sole discretion, shall determine the timeliness of the Proposer's corrective action in this regard and will disqualify the Proposer if the vacation of the tax title foreclosure is not prosecuted expeditiously and in good faith, so as to avoid undue delay in the awarding of a lease.

WATER AND SEWER REVIEW

The City of Boston Water and Sewer Commission will conduct a review of the Proposer's water and sewer account(s). Proposers cannot be delinquent in the payment of water and sewer charges on any property owned within the City of Boston and must cure such delinquency prior to the award of a lease pursuant to this Request for Proposals.

DND/CITY OF BOSTON PRIOR PARTICIPATION REVIEW/OUTSTANDING OBLIGATIONS

The City will review the Proposer's current and past participation in any DND programs. Proposers not fulfilling DND program requirements will not be awarded a lease pursuant to this Request for Proposals. Further, Proposers must be current with all monies owed to DND, in order to be awarded a lease.

PROPERTY PORTFOLIO REVIEW

The City will review the Proposer's portfolio of property owned in the City of Boston to ascertain whether there are Inspectional Services Department (ISD) code violations. No lease will be awarded to any Proposer with outstanding ISD Code Violations or outstanding fines.

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 past twelve months, an employee, agent, consultant, officer, or an elected or appointed official of the City of Boston's Department of Neighborhood Development and the Boston Redevelopment Authority. An "immediate family member" shall include parents, spouse, siblings or children, irrespective of their place of residence. A Proposer who does not satisfy the Employee Review requirements will be deemed ineligible and their proposal will not be considered. Prior to the award of a lease, Proposers will be required to execute the "Affidavit of Eligibility" (attached hereto as Exhibit "B").

THE BOSTON JOBS AND LIVING WAGE ORDINANCE

In accordance with the Boston Jobs and Living Wage Ordinance, and the provisions of the promulgated Regulations, any direct recipient ("Beneficiary") of at least \$100,000 of assistance as defined by any grant, loan, tax incentive, bond financing, subsidy, debt forgiveness, or other form of assistance of \$100,000 or more realized by or through the authority or approval of the City of Boston, including, but not limited to Industrial Development Bonds, Community Development Block Grant (CDBG) loans and federal Enhanced Enterprise Community designations awarded after the effective date of this Ordinance shall comply with the "First Source Hiring Agreement" provisions of said Ordinance.

LIVING WAGE FORMS

See Exhibit F

SECTION 9: Terms of Lease

After a proposal has been selected, the Selected Developer will be contacted by the City to negotiate the terms of the lease. The terms of the lease must be consistent with this Request for Proposal. The use of the property will be restricted to that which is proposed in the selected proposal.

LESSEE RESPONSIBILITIES AND LEASE CONDITIONS

The lessee shall be responsible for all routine maintenance, repairs, renovations and construction undertaken at the site, and shall pay any and all costs related thereto. All improvements made to the site shall be for the benefit of the City. The lessee shall be responsible for all maintenance, repairs, permits and approvals, renovations and construction undertaken or required with regard to the major structural elements of the site and shall pay any costs related thereto not covered by the lessee's insurance.

The lessee is required to procure at its own expense all insurance as DND deems appropriate, including insurance to protect the City, its employees and agents, from claims for damage to persons or property, which may arise with the proposer's activities upon or use and occupancy of the leased premises.

The lessee is required to, at all times during the term of the lease, furnish at its own cost and expense:

1. Personnel and equipment to remove snow, trash and litter accumulating within the leased premises including from sidewalks along the site. The lessee agrees to cooperate with City of Boston agencies in this clean-up service.
2. Any utilities, such as water, electricity, gas, and telephone services required at the site.
3. Ensure that the site is accessible to all persons and, further, that the site complies with any accessibility provisions under Federal, state and local law.

The lessee is required to comply with all applicable Federal, state, and local statutes, ordinances, and/or codes, and take all necessary and proper steps to assure the safety and security of visitors and employees to the site.

The lease will be in a form determined by the Department of Neighborhood Development, and subject to its terms and conditions.

CONVEYANCE

DND's Legal Staff will prepare all necessary lease documents. Each Site will be leased in "AS IS CONDITION" and without warranty or representation as to the Status or Quality of Title. The designee 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.

MINIMUM LEASE AMOUNT

The proposed lease amount per site cannot be less than \$125.00/year. See the Grassroots Application.

PAYMENT POLICY

DND requires payment in full by a treasurer's or cashier's check, for the lease price for year one at the time that the lease is executed.

SECTION 10: Property Descriptions

See attached Site Maps

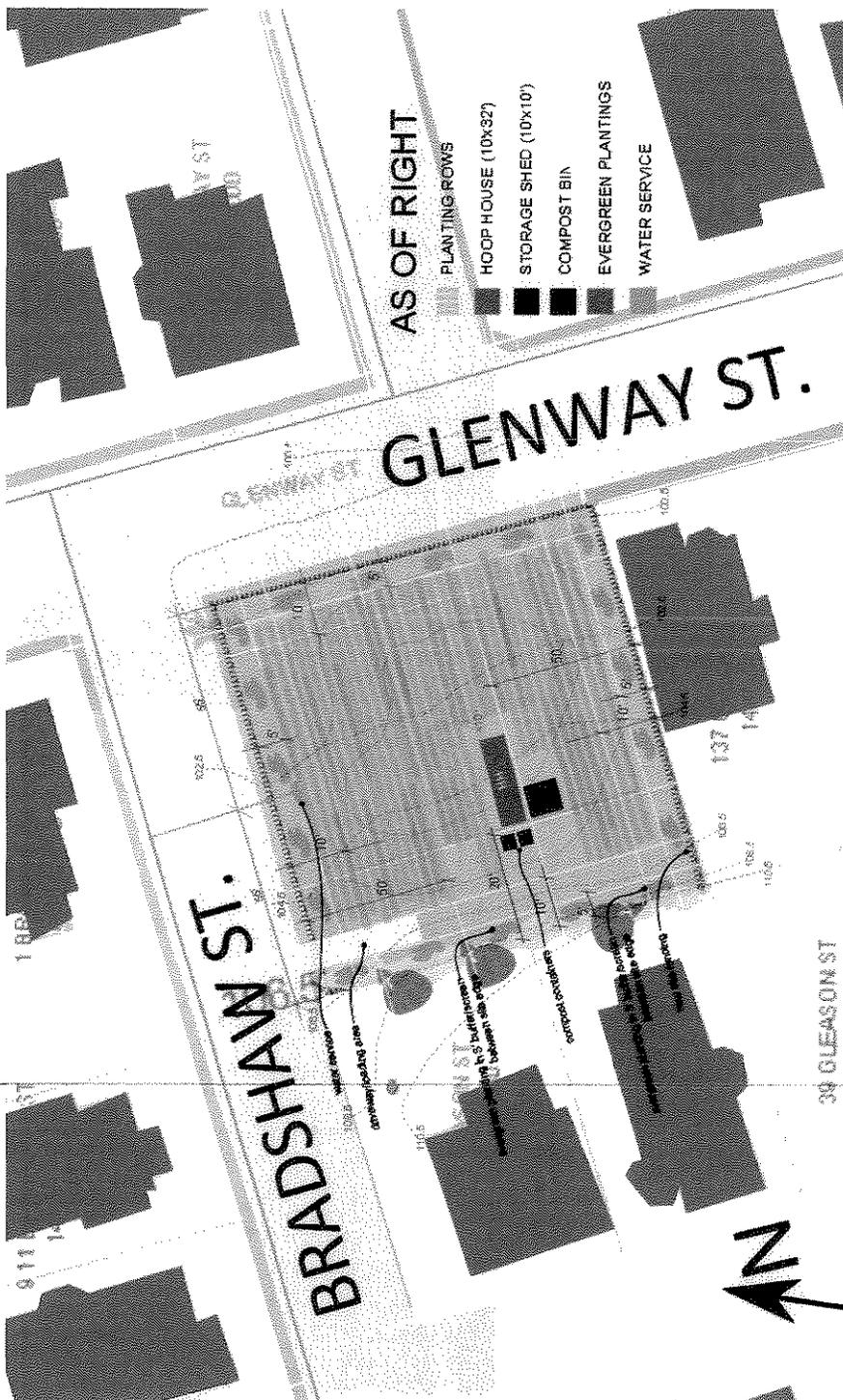
Parcels available for acquisition through this RFP are located at the following Sites:

Site	Street#	Street Name	Neighborhood	Ward/Parcel	Area
1	131	Glenway Street (aka 6 Bradshaw)	Dorchester	1402640000	11443
2	18-24	Standish Street	Dorchester	1402325000	8810
3	23	Tucker Street	Dorchester	1402832000	9189
	29	Tucker Street	Dorchester	1402833000	9436

SECTION 11:

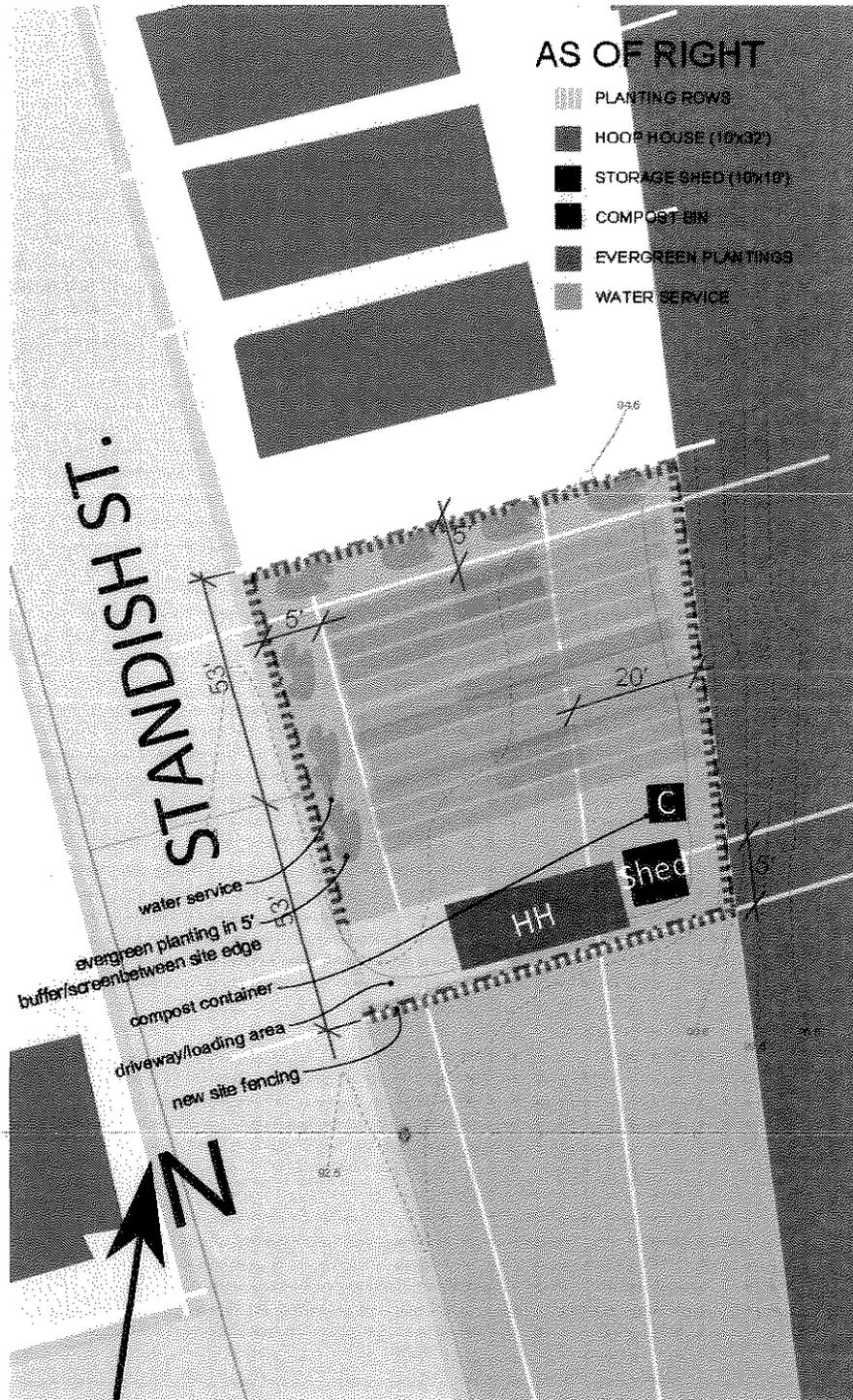
Site Design Principles & Illustrations

GLENWAY STREET SITE



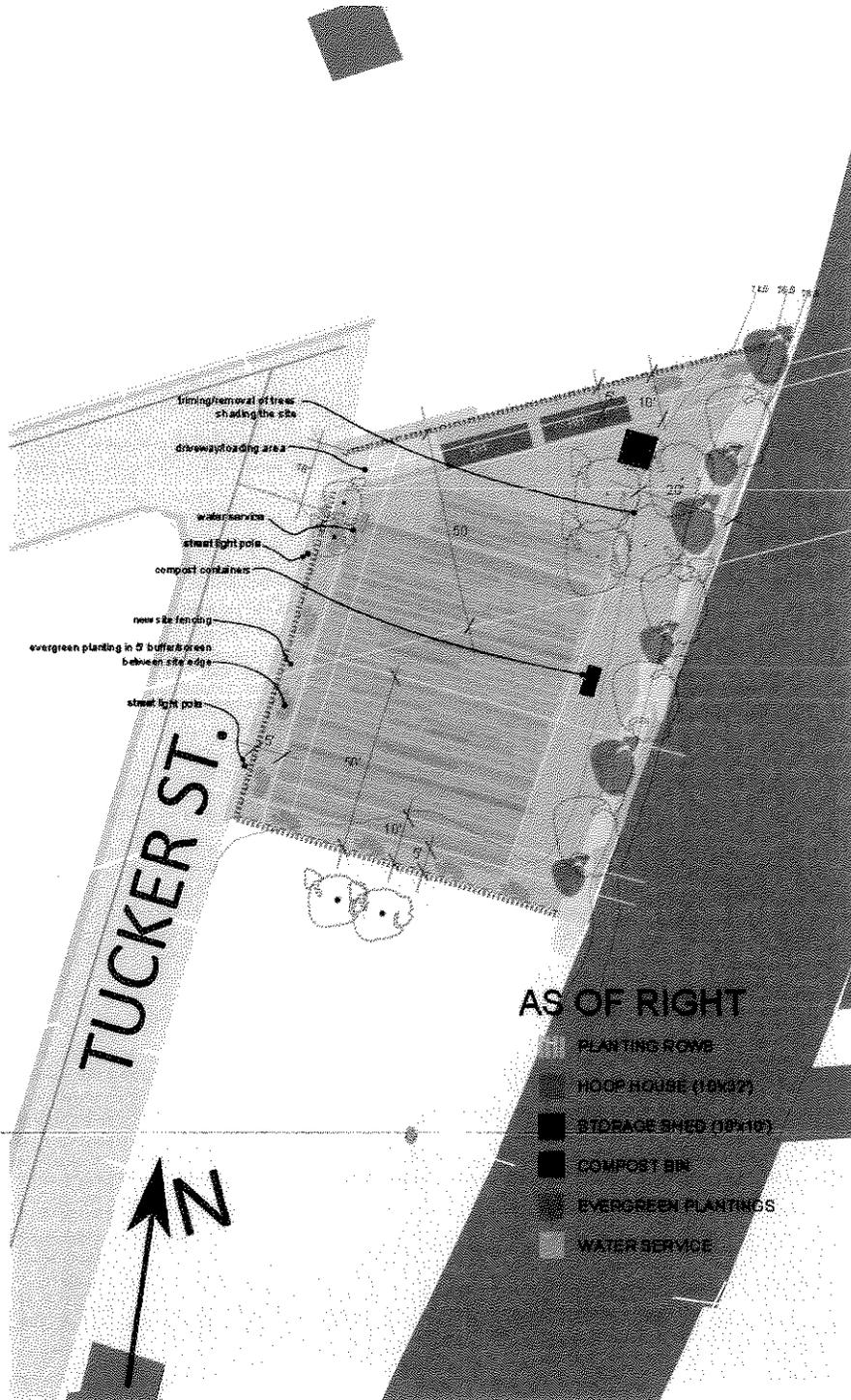
All illustration are provide for reference only.

STANDISH STREET SITE



All illustration are provide for reference only.

TUCKER STREET SITE



All illustration are provide for reference only.

SOIL MANAGEMENT PROTOCOLS

The purpose of testing is to make certain that the concentrations of chemicals in the soil and compost are acceptable for use in garden in which produce is grown. These protocols apply to soil and compost that is sampled at a bulk processing facility (not soil already on the ground).

The draft soil sampling and testing protocols are included in this RFP for reference. The Department of Environmental Health at the Boston University School of Public Health developed these protocols in conjunction with community gardening organizations in Boston. All Soil Management Protocols will be defined within the lease agreement with selected applicants.

Boston University School of Public Health

Department of Environmental Health

715 Albany Street
Boston, Massachusetts 02118-2526
T 617-638-4620 F 617 638-4857



Soil Management Protocols

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This document presents a protocol for testing soil and compost that will be used for growing food. The purpose of the testing is to make certain that the concentrations of chemicals in the soil and compost are acceptable for use in gardens in which produce is grown. These protocols apply to soil and compost that is sampled at a bulk processing facility (not soil already on the ground). We have modified this memo to reflect the needs of the urgent need to develop land for urban agricultural use.

Over the past several years we have partnered with Boston Natural Areas Network (BNAN) and provided guidance and technical expertise related to contaminants in soil and compost. Based on our data and the literature, we present the following recommendations:

1. No street sweepings should ever be placed in the compost or soil destined for use in gardens;
2. Screening of compost and soil should be as complete as possible;
3. Care should be taken not to contaminate piles of compost or soil with windblown debris from screenings;
4. Sampling should be done using a composite approach (as detailed in this memo);
5. Analysis of samples should be done by a MassDEP-recognized laboratory for organics and metals analyses and UMASS for growing parameters.
6. Concentrations of contaminants should be below the MassDEP S1 Standards for all contaminants except for lead. Lead levels should be below 150 mg/kg in compost and preferably less than 100 mg/kg in soil.

We have retained the MassDEP S1 Standard for arsenic of 20 mg/kg, but we strongly recommend that the concentration be less than 5 mg/kg. These values are based on data from recent soil and compost sampling in the Boston area.

Preparation for Sampling

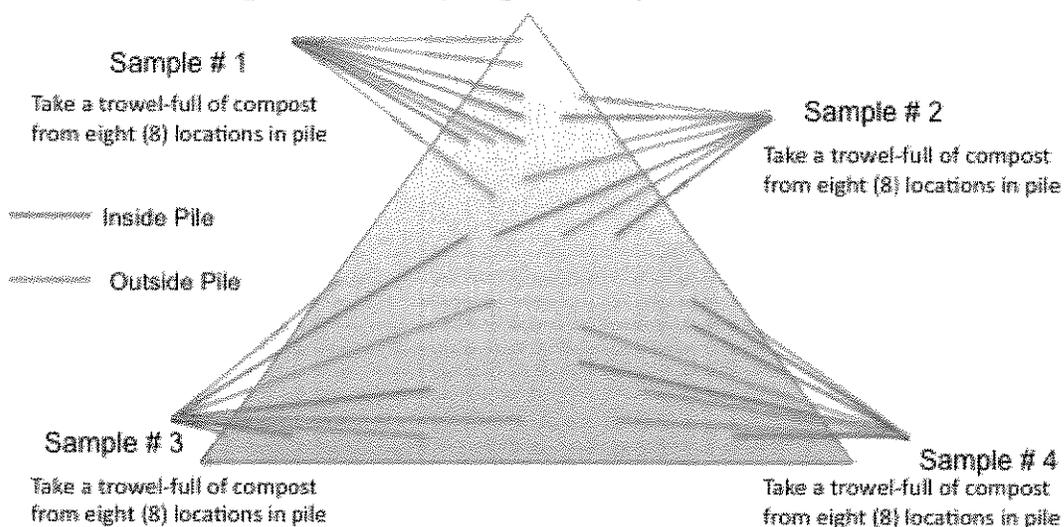
Before the samples are collected, attention to holding times, analytical methods and detection limits should be discussed and confirmed with the laboratory, which should be EPA and MA-certified. The laboratory should be told that MassDEP S1 standards will be used for comparison. This information will allow the laboratory contact to assure that the correct methods for analysis are used. Based on the experience of multiple years of testing, Alpha Woods Hole Laboratories has provided excellent service and reliable data analysis. Provided below are contact names and numbers for this facility. Soil and compost should be tested for the presence of metals, polycyclic aromatic hydrocarbons (PAHs), basic composition and plant growing parameters. The detection limits provided by the laboratory should be lower than the MassDEP S1 Standards that are presented in Table 1. Any MA certified laboratory will be familiar with these standards and will provide appropriately low detection limits. Data reported with detection limits that are higher than the standards are useless for interpreting the results.

The laboratory will provide the City with bottles or jars for the sampling material as well as a chain-of-custody (COC) sheet. A sample COC is provided, as is a blank COC. The sheets should be partially completed before the sampling occurs. The purpose of the COC is to ensure that the samples are tracked from the time the sample is taken to the time of analysis at the laboratory. Any EPA or MA-certified laboratory will provide these forms. The person sampling should assign sample numbers to each of the jars that will be used and record this information on the

chain-of-custody sheets. These sheets should accompany the person sampling out to the composting facility, along with the jars provided by the laboratory, an indelible (water-proof) marker, the chain-of custody sheets, a cooler with ice into which the jars will be placed, clean trowel and bucket, as well as clean water and paper towels (useful for cleaning the trowel). In addition to the chain-of-custody forms, the type of analysis will be designated on the forms (often indicated by the lab prior to receiving them).

Due to the heterogeneous nature of the compost, we recommend that four (4) composite samples be sent to the laboratory. The type of sampling done to evaluate the large mass of compost is called composite sampling, as shown in Figure 1. Once the relevant pile(s) is identified, the person sampling uses a clean (washed with water and soap and rinsed well) metal trowel to dig a scoop of compost from eight (8) locations in each pile, making certain to sample deep inside the pile as well as on the surface and washing off the trowel in-between each scoop taken. The 8 scoops of compost are placed in a clean metal pail and mixed well with the clean trowel. Samples of this composite mixture of compost are placed in the clean glass jars provided by the laboratory. The jars are labeled with the date and a sample number (same as assigned in the chain-of custody sheet) and placed on ice. Once the samples are taken, the laboratory can be called to retrieve the samples as soon after collection as possible. Timing is critical as samples must be extracted at the laboratory within 14 days of collection and samples must be kept cold. The samples must be signed over (with the completed COC) to the laboratory courier who is retrieving the samples.

Figure 1. Sampling a Compost Pile



Expect to be contacted by the laboratory when the analysis is complete. The data will be provided on-line and in hard copy to the address listed on the chain of command sheet. Any difficulty with a sample will result in direct communication between the laboratory and the contact prior to this point. The data will be presented with the analyte (what was analyzed), the detection limit (how little of the analyte could be detected), the measured amount of analyte and any difficulties or complications with the sample that make the conclusions less certain.

The concentrations of PAHs are typically provided in units of $\mu\text{g}/\text{kg}$ (ppb), although the metals are typically reported in mg/kg (ppm). The person who is evaluating the quality of the samples should compare the concentrations

measured by the laboratory with those presented in Table 1. It is acceptable to average all the samples taken from the same pile. The standards for comparison are the MassDEP S1 Standards, although the lead concentration is lower than the MassDEP S1 Standard. We provide the concentrations of metals and PAHs in both $\mu\text{g}/\text{kg}$ (ppb) and mg/kg (ppm). ***It is imperative that the correct unit comparison be made.*** Alpha Woods Hole Laboratory provides the data and will identify when the measured values exceed the MassDEP S1 Standards. Note that lead concentrations should be less than 150 mg/kg (150 ppm) for compost and less than 100 mg/kg for soil.

Compost and Soil Testing Plan

Prior to Sampling – Contract Lab

- 1) Two weeks prior to sampling compost contact Alpha Laboratories (or other contract lab) to arrange for delivery of bottles and Chain of Custody Forms.
- 2) Fill out Chain-of-Custody forms and label the sampling jars that define the piles from which the samples are taken. Identify the analyses to be conducted (metals, no mercury; and 16 PAHs, meeting MassDEP S1 Standards detection limits).
- 3) Clean shovels and buckets
- 4) One week prior to sampling, contact the laboratory and request courier pick-up service for the sampling date. The lab will need to know where to pick up the samples.

Prior to Sampling – UMASS

- 1) Download forms from the UMASS website and complete with the necessary information - <http://www.umass.edu/soiltest/>
- 2) Pre-label plastic bags with sample numbers

Sampling

- 1) If possible, cut open the compost pile with a loader; take 8 samples (trowel full) from inside and outside of the pile. Place samples in a 5 gallon bucket and thoroughly mix by stirring with a clean trowel.
- 2) Repeat three more times.
- 3) Fill four pre-labeled jars and four pre-labeled plastic bags with the mixture and place on ice.
- 4) Designate the pile number/location on the COC form.

Laboratory Analysis

- 1) Contact Alpha Laboratories via telephone when samples are ready to be picked-up. Samples must remain on ice until then.
- 2) Courier will sign the COC form and leave a copy with the City.
- 3) Send soil samples to UMASS for Standard Soil Test (Includes pH, Buffer pH, Extractable Nutrients (P, K, Ca, Mg, Fe, Mn, Zn, Cu, B), Extractable Heavy Metals (Pb, Cd, Ni, Cr), and Extractable Aluminum, Cation Exchange Capacity, Percent Base Saturation), Organic Matter, Salts and Nitrogen. Send compost samples to UMASS for the Standard Compost Test.

Data Analysis

- 1) Alpha Labs will provide the City with a hard copy of the results in addition to an electronic copy.
- 2) Since the COC form designated the MassDEP S1 Standard comparison, Alpha will compare the compost results with the S1 Standards on the laboratory report. Alternatively, BNAN can compare the results with the S1 Standards that are presented in Table 1.

- 3) All samples should be at or below the MassDEP S1 Standards. It is acceptable to average the sample results when multiple samples are collected from one pile. Exception is that each sample must be less than 150 mg/kg lead in compost and 100 mg/kg in soil.
- 4) UMASS will provide data sheets and recommendations for growing parameters. Review the lead data from UMASS results, but do not rely on the UMASS recommendations for criteria.

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Table 1. PAHs and Metal Concentration Recommendations

Chemical Analytes	Concentration (mg/kg)	Concentration (mg/kg)
Metals		
Arsenic	20,000	20; <5 recommended
Cadmium	2,000	2
Chromium	30,000	30
Copper	N/A	N/A
Lead	<150000	<100 soil; <150 compost
Nickel	20,000	20
Thallium	8,000	8
Zinc	2,500,000	2,500
Polycyclic Aromatic Hydrocarbons		
Acenaphthene	4,000	4
Acenaphthylene	1,000	1
Anthracene	1,000,000	1,000
Benzo(a)anthracene	7,000	7
Benzo(a)pyrene	2,000	2
Benzo(b)fluoranthene	7,000	7
Benzo(g,h,i)perylene	1,000,000	1,000
Benzo(k)fluoranthene	70,000	70
Chrysene	70,000	70
Dibenzo(a,h)anthracene	700	1
Indeno(1,2,3-cd)pyrene	7,000	7
Fluoranthene	1,000,000	1,000
Fluorene	1,000,000	1,000
Napthalene	4,000	4
Phenanthrene	10,000	10
Pyrene	1,000,000	1,000
All values are MADEP S1 Standards except for lead, this reflects bkd levels and concentrations measured in compost and bulk soil		

Relevant Information Regarding the Testing Laboratory

Alpha Woods Hole Laboratories

http://www.alphalab.com/alphaweb/AWHL/index_nweb.cfm

UMASS Soil and Compost Testing Facilities

<http://www.umass.edu/soiltest/>

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SECTION 12: Schedule

Organizations proposing to lease urban agriculture sites under the terms of this RFP should plan to meet the goals of the following schedule:

- 7/11 Notification and Advertising will appear (Herald)
- 7/13 Notification and Advertising will appear (Central Register)
- 7/14 Notification and Advertising will appear (Bay State Banner & Dorchester Reporter)
- 7/11 RFP available at the Bid Counter
- 7/25 Bidder's Conference
- 8/15 Proposals due for submission at DND Bid Counter
- 8/18 Project Review Committee convenes
- 8/23 Project Review Committee convenes
- 8/31 Community Meeting – Presentation by the top ranked applicant
- 9/1 Community Meeting – Presentation by the top ranked applicant
- 9/20 NHD PRC vote
- 10/13 Public Facilities Commission meeting to approve lease.
- 10/20 Organizations sign lease agreement with DND
- TBD Zoning Commission Hearing

SECTION 13:**References & Resources****COMMUNITY ORGANIZATIONS**

Codman Square Neighborhood Council
<http://www.codmansquarecouncil.org/>

B.O.L.D. (Breath of Life Dorchester) Teens
<http://www.boldteens.org/>

Codman Academy, Charter Public School
<http://www.codmanacademy.org/>

Redefining Our Community (R.O.C.)
<http://www.codmanacademy.org/>

Codman Square Neighborhood Development Corporation – STARS Program
<http://www.csndc.com/>

The Boston Project Ministries – Park Patrol
<http://www.tbpm.org/>

Business Resources
 UMass Boston Small Business Development Center
www.sbdc.umb.edu

Boston Public Library
 Kirstein Business Library
www.bpl.org/research/kbb/kbbhome.htm

UMass Extension Center for Agriculture
www.extension.umass.edu
 Economic Resources
 The Carrot Project
www.thecarrotproject.org
 The Carrot Project helps find ways for small and mid-sized Northeast farms to get the capital they need.

Cooperative Fund of New York
<http://cooperativefund.org>
 Provides loans to all types of cooperatives.

Equity Trust
<http://www.equitytrust.org/wholefarm.html>
 Helps people set up innovative ownership models for land protection. Provide technical assistance to farms working to gain security. Have revolving fund.

Farm Credit
<http://www.farmcreditnetwork.com/>
 Agricultural lender in New England and New York.

FarmStart
<https://www.farmcrediteast.com/products/farmstart.aspx>
 Assists beginning farmers and new cooperatives with seed capital.

National Council of State Agricultural Finance Programs
www.stateagfinance.org
 Directory of finance programs offered by each state Department of Agriculture.

USDA's Farm Service Agency
<http://www.fsa.usda.gov/FSA>
 Federal government lender that works with farmers who cannot get loans from a commercial bank.

USDA National Institute of Food and Agriculture Grants
<http://www.nifa.usda.gov/fo/funding.cfm>
 The USDA offers a range of grants including: the Beginning Farmer and Rancher Development Program and the Community Food Projects Competitive Grants Program.

Community Food Projects Competitive Grants Program
<http://www.nifa.usda.gov/fo/communityfoodprojects.cfm>

Whole Foods Market Local Producer Loan Program

www.wholefoodsmarket.com/values/local-producer-loan-program.php

Matching Enterprise Grants for Agriculture Program (MEGA)
Massachusetts Department of Agricultural Resources
<http://www.mass.gov/agr/programs/mega/>
The Matching Enterprise Grants for Agriculture Program (MEGA) seeks to assist new and beginning farm businesses with start up or expansion costs.

AGRICULTURE TRAINING

New England Small Farm Institute
www.smallfarm.org

Division of Agricultural Technical Assistance
www.mass.gov/agr/divisions/ag_technical_assistance.htm

Tufts New Entry Sustainable Farming Project
<http://nesfp.nutrition.tufts.edu/index.html>

MAIN STREETS

Bowdoin/Geneva Main Streets
200 Bowdoin St.,
Dorchester, 02122
617.436.998
bgms1@verizon.net

Fields Corner Main Streets
1452 Dorchester Ave., 2nd Floor,
Dorchester 02122
617.474.1432
fcms@fieldscorner.org

Four Corners Main Streets
420 Washington Street
P.O.Box 240877
Dorchester, MA 02124
director@fourcornersms.org

Mattapan Main Streets

URBAN AGRICULTURE LAND LEASE
RFP_2011_Lease_063011.doc

URBAN AGRICULTURE RESOURCES

USDA National Agriculture Library -
Alternative Farming Systems Information
Center
http://afsic.nal.usda.gov/nal_display/index.php?info_center=2&tax_level=1

RUAF Foundation – Resource Centres on
Urban Agriculture and Food Security
<http://www.ruaf.org/>

Urban Agriculture News
<http://www.urbanagriculture-news.com/>

City Farmer News
<http://www.cityfarmer.info/>

LOCAL SCHOOLS

Boston Adult Technical Academy
429 Norfolk Street
Dorchester, MA 02124

Newcomers Academy
100 Maxwell Street
Dorchester, MA 02124

Boston International High School
100 Maxwell St.
Dorchester, MA 02124

Dorchester Academy
9 Peacevale Road
Dorchester, MA 02124

TechBoston Academy
TechBoston Academy (Upper School)
Dorchester Ed. Complex 9 Peacevale Rd.
Dorchester, MA 02124

TechBoston Academy (Lower School)
18 Croftland Avenue
Dorchester, MA 02124

Fifield Elementary School

25 Dunbar Avenue
Dorchester, MA 02124

Lee Elementary School
155 Talbot Avenue
Dorchester, MA 02124

Lee Academy Pilot School
155 Talbot Avenue
Dorchester, MA 02124
Holmes Elementary School
40 School Street
Dorchester, MA 02124

Greenwood (Sarah) K-8 School
186 Glenway Street
Dorchester, MA 02121

Middle School Academy
2 McLellan Street
Dorchester, MA 02121

COMMUNITY CENTERS

Perkins Community Center
Marshall Community Center
Cleveland Community Center
Murphy Community Center
Franklin Highlands Community
Holland Community Center
Ebenezer Community Workshop Center
Dorchester YMCA
Roxbury Youthworks
Hiram Grand Lodge Youth Development
Dorchester Youth Collaborative
Metropolitan Youth Center

GRASSROOTS APPLICATION

PART I: Instructions

Included on the next page is a checklist and application cover sheet to assist with preparing proposals. Please make use of these forms and include them with your proposal; you must arrange the contents of your proposal in the order given on the checklist.

Organizations may **only** propose to lease one Site per proposal and must plan to lease all parcels associated with that Site. The city recognizes that the economic viability of a proposal may necessitate the use of one or more Site. Where respondents wish to lease more than one Site, a completely separate proposal must be submitted for EACH Site. The Site Name is to be indicated on the application cover sheet. Any proposal, which combines Sites without submitting individual proposals or proposes to lease less than the entirety of the site, will be deemed non-responsive and will be disqualified from consideration.

Assembled proposals must be submitted in a sealed envelope with your organization's return address, clearly marked Urban Agriculture Land Lease for consideration for the RFP. Proposals that include more than one site will be deemed non-responsive and will be disqualified. Submit one (1) original proposal in its entirety, three (3) copies of the proposal and one (1) digital copy of the original proposal on computer disc. Incomplete applications will not be considered for review. Proposals must be complete according to the standards explained in this RFP and must be delivered to the following address before the deadline:

Time: August 15, 2011 No later than 4 p.m.
Place: Department of Neighborhood Development
 Bid Counter, Tenth (10th) Floor
 26 Court Street
 Boston, MA 02108
 Late proposals will not be accepted.
 Proposals will be opened at 4 p.m. on **August 15, 2011**

PLEASE NOTE: The Bid Counter hours of operation are Monday through Friday 9:00AM-12:00PM and 1:00PM-4:00PM. We apologize for any inconvenience. Please plan accordingly.

BIDDER'S CONFERENCE

A bidder's conference is scheduled for July 25, 2011 from 5pm to 7pm in the Winter Chambers on the 1st floor at DND, 26 Court Street, Boston, MA 02108. The bidders conference is a time for questions and discussion; if your organization has interest in leasing an urban agriculture site, someone should attend the bidder's conference.

Questions may be directed to Jay A. Lee, Assistant Director of Design Construction Openspace at 617-635-0207.

PART II: Application Submission Requirements

Please complete this checklist and include it with your completed package. Your application should include:

- A. *Completed application cover sheet indicating which site you are proposing to lease.*
- B. *Responses to each item in each section below.*

CHECKLIST

1. General Information Section:

- Cover letter from the organization's director noting the community benefits of this proposal and the organization's experience with urban agriculture and managing neighborhood open space*
- A completed application cover sheet*

2. Organization Information Section

- Organization's articles of incorporation and bylaws*
- Organization's current filing noting board membership and positions held by community members*
- Certificate of authority from the organization's clerk authorizing the urban agriculture lease.*
- IRS letter documenting the organization's non-profit tax exempt status (501(c)(3)) or business tax identification number.*
- Proposed timeline for application for non-profit status or completion of business organization filing.*
- Organization's most recent financial statements.*

3. Approach to Community Engagement

- Organization's statement outlining its approach to community engagement.*

4. Business Plan Section

Overview

- Organization's statement of mission and purpose*
- A narrative description of the farming endeavor including a description of the goals and objectives of the business.*
- Organization's list of relevant services provided and evidence that the organization has the capacity and resources to manage the proposed urban agriculture project*

Experience

- Evidence of prior successful development and management of a farm project.*

- ❑ *A detailed review of the management team and how they are qualified to manage this business or enterprise.*

Marketing

- ❑ *An assessment of the market being targeted including an overview of similar farms/businesses in the "market" area, the unmet or different need the farm will fill in the community or "market" area and a numerical assessment of the demand (the potential size of the market) for the product or services being provided by the farm.*
- ❑ *A description of marketing strategy, a plan for bringing produce to market. Identify the farms' target market - the individuals, organizations or businesses that will purchase produce or other items from the farm.*

Budget

- ❑ *An annual operating budget (years 1-5) including revenue, expenses, overhead and profit. Key factors include an estimate of the total yield each season and the percentage of produce distributed at a reduced sales price or donated.*
- ❑ *Maintenance/ operating budget showing estimate of costs and resources anticipated*
- ❑ *A capital budget, which includes the expenses and sources of funds used to finance the start up of the farm, including the initial lease and all costs associated with the preparation of the property.*

Maintenance Plan

- ❑ *Maintenance plan for the property, noting tasks and responsibilities*
- ❑ *Description of soil management protocols, organic growing practices and health & environmental protection standards.*

Schedule

- ❑ *A detailed timetable/schedule of the farming start up and on and off season operations and maintenance, from initial site preparation and years 1 through 5.*

5. Community Benefits & Support Section:

- ❑ *Description of community benefits.*
- ❑ *Letters, meeting notes, sign-in sheets, petitions from gardeners and neighbors indicating community participation in the project*
- ❑ *Evidence of support from abutting property owners*
- ❑ *Evidence of support from other interests, including community, city-wide and media*

6. Experience – Ability to Develop, Manage, Maintain & Operate the Property

- ❑ *A general overview of ability to manage the proposed farming endeavor. Examples of agricultural, farming, or vegetable growing endeavors, land management experience, relevant experience operating a business, including marketing and sales. Applicants are also to include a detailed narrative review of each member of the management team, their role and how they are qualified to manage the farm/business proposed.*

7. Financial Capacity Section

- ❑ *Budget and list of resources expended, committed or sought toward improving the site, including commitment letter(s) from a lending or funding institution(s) and/or documentation of available cash on hand sufficient to finance the proposed project*

8. Site Planning, Design & Development Requirements Section:

- ❑ *Description of existing site and any planned site improvements*
- ❑ *Design plans, design narrative and/or specification and photos illustrating existing and any planned site improvements, refer to Section 3.*
- ❑ *A Construction Schedule for completing any planned site improvements*

9. Affidavits and Forms (See the attached Exhibits)

- ❑ *Organization's Ch. 803 Disclosure Statement*
- ❑ *Organization's Affidavit of Eligibility*
- ❑ *Organization's City of Boston, DND Property Affidavit*
- ❑ *Organization's Beneficial Interest Statement*
- ❑ *The Boston Jobs and Living Wage Ordinance*

PART III: Cover Sheet

Please complete this cover sheet and the Request for Proposal Form (PF-1). Place the completed the Request for Proposal Form (PF-1) then the Cover Sheet as the first two pages of the proposal submission.

APPLICATION FOR URBAN AGRICULTURE LAND LEASE

SITE _____

(The site for which you are applying. Each site will require a separate proposal)

Proposed annual lease amount (\$125.00 per year minimum) _____

Organization name _____

IRS tax-exempt 501c3 number _____

For Profit tax ID number / DBA _____

Executive director/owner _____

Contact person _____

Address _____

Phone number and fax _____

E-mail _____

REQUEST FOR PROPOSAL FORM (PF-1)

REQUEST FOR PROPOSAL FORM

SUBMITTED TO: DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT
BID COUNTER
26 COURT STREET 10TH FLOOR
BOSTON, MASSACHUSETTS 02108

DATE RECEIVED BY DND: _____

SUBMITTED BY: ORGANIZATION NAME: _____
ADDRESS: _____
TELEPHONE: _____

Under the conditions set forth by the Department of Neighborhood Development, the accompanying proposal is submitted for:

Project Title: _____

For this proposal to be properly evaluated all questions must be answered by the Offeror. The Awarding Authority (the Department of Neighborhood Development) will regard all responses to questions and all submissions as accurate portrayals of the Offeror's qualifications and any discrepancy between these statements and any subsequent investigation may result in the proposal being rejected.

The undersigned certifies under penalties of perjury that this proposal has been made and submitted in good faith and without collusion of 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 business

Date

Part IV: Affidavits and Forms

EXHIBIT A: APPLICANTS DISCLOSURE OF PROPERTY OWNED

EXHIBIT B: AFFIDAVIT OF ELIGIBILITY

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 _____, 2011

Applicant Signature

Co-Applicant Signature

EXHIBIT C: BENEFICIAL INTEREST STATEMENT

BENEFICIAL INTEREST STATEMENT

WHEREAS, the undersigned intends to enter into an agreement to purchase real property situated at

_____ , _____
(street address) (neighborhood)

MA, from the City of Boston, I hereby certify pursuant to Section 40J of Chapter 7 of M.G.L. that the following are the true names and address of all persons who have or will have a direct or indirect beneficial interest in said property.

_____	_____
_____	_____
_____	_____
_____	_____

This statement is made under the pain and penalties of perjury this, the _____ day of _____, 2008.

Applicant (Signature) & Title

Co-Applicant (Signature)

Co-Applicant (Signature)

EXHIBIT D: DISCLOSURE STATEMENT

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 aiding, counseling. Or procuring of a willful and malicious setting of a fire, or of a crime involving the fraudulent filling 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 taxes 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 2011.

Applicant (Signature) & Title

Co-Applicant (Signature)

Co-Applicant (Signature)

EXHIBIT E: CORI ORDINANCE, CM FORM 15A, CM FORM 15B

Offered by Councillors CHUCK TURNER, STEPHEN J. MURPHY, FELIX D. ARROYO, CHARLES C. YANCEY, MAURA A. HENNIGAN, MICHAEL F. FLAHERTY, and MICHAEL P. ROSS



CITY OF BOSTON

IN THE YEAR TWO THOUSAND FIVE

AN ORDINANCE REGARDING CORI

WHEREAS, The City of Boston has focused on developing a system of screening for those with criminal backgrounds that is fair to all concerned; and

WHEREAS, The cornerstone of the system developed by the Human Resources Department is screening for the criminal background of applicants for positions which bring the prospective employee into unsupervised contact with youth or the elderly; and

WHEREAS, The City contracts for goods and services with thousands of vendors; and

WHEREAS, These vendors employ hundreds of thousands employees; and

WHEREAS, The City has a responsibility to ensure that its vendors have fair policies relating to the screening and identification of persons with criminal backgrounds. *NOW THEREFORE*,

Be it ordained by the City Council of Boston, as follows:

CBC Chapter IV is hereby amended by appending CBC 4-7 as follows:

4-7 CORI Screening by Vendors of the City of Boston

4-7.1 Purpose.

These sections are intended to ensure that the persons and businesses supplying goods and/or services to the City of Boston deploy fair policies relating to the screening and identification of persons with criminal backgrounds through the CORI system.

4-7.2 Definitions.

Unless specifically indicated otherwise, these definitions shall apply and control in CBC 4-7.

(a) *Applicant* means any current or prospective employee, licensee, or volunteer and includes all persons included in 803 CMR 2.03.

(b) *Awarding Authority* means any department, agency, or office of the City of Boston that purchases goods and/or services from a Vendor.

(c) *CHSB* means the Criminal History Systems Board defined in M.G.L. c. 6 and 803 CMR 2.00.

(d) *City* means the City of Boston or department, agency, or office thereof.

(e) *Otherwise Qualified* means any Applicant that meets all other criteria for a position or consideration for a position.

(f) *Vendor* means any vendor, contractor, or supplier of goods and/or services to the City of Boston.

4-7.3 CORI-Related Standards of the City of Boston.

The City of Boston will do business only with Vendors that have adopted and employ CORI-related policies, practices, and standards that are consistent with City standards.

The City of Boston employs CORI-related policies and practices that are fair to all persons involved and seeks to do business with Vendors that have substantially similar policies and practices. The Awarding Authority shall review all Vendors' CORI policies for consistency with City standards. The Awarding Authority shall consider all Vendors' CORI standards as part of the criteria to be evaluated in the awarding of a contract and will consider a Vendor's execution of the CORI standards to be evaluated among the performance criteria of a contract. The Awarding Authority shall consider any Vendor's deviation from the CORI standards as grounds for rejection, rescission, revocation, or any other termination of the contract.

The CORI-related policies and practices of the City include, but are not limited to:

(a) The City does not conduct a CORI check on an Applicant unless a CORI check is required by law or the City has made a good faith determination that the relevant position is of such sensitivity that a CORI report is warranted.

(b) The City reviews the qualifications of an Applicant and determines that an Applicant is Otherwise Qualified for the relevant position before the City conducts a CORI check. The City does not conduct a CORI check for an Applicant that is not Otherwise Qualified for a relevant position.

(c) If the City has been authorized by the CHSB to receive CORI reports consisting solely of conviction and case-pending information and the CORI report received by the City contains other information (i.e. cases disposed favorably for the Applicant such as Not Guilty, Dismissal) then the City informs the Applicant and provides the Applicant with a copy of CHSB's information for the Applicant to pursue correction.

(d) When the City receives a proper CORI report of an Applicant that contains only

the CORI information that the City is authorized to receive and the City is inclined to refuse, rescind, or revoke the offer of a position to an Applicant then the City fully complies with 803 CMR 6.11 by, including, but not limited to, notifying the Applicant of the potential adverse employment action, providing the Applicant with a photocopy of the CORI report received by the City, informing the Applicant of the specific parts of the CORI report that concern the City, providing an opportunity for the Applicant to discuss the CORI report with the City including an opportunity for the Applicant to present information rebutting the accuracy and/or relevance of the CORI report, reviewing any information and documentation received from the Applicant, and documenting all steps taken to comply with 803 CMR 6.11.

(e) The City makes final employment-related decisions based on all of the information available to the City, including the seriousness of the crime(s), the relevance of the crime(s), the number of crime(s), the age of the crime(s), and the occurrences in the life of the Applicant since the crime(s). If the final decision of the City is adverse to the Applicant and results in the refusal, rescission, or revocation of a position with the City then the City promptly notifies the Applicant of the decision and the specific reason(s) therefor.

4-7.4 Waiver

Under exigent circumstances, an Awarding Authority, by its highest ranking member, may grant a waiver of CBC 4-7.3 on a contract-by-contract basis and shall submit a written record of the waiver to the Office of Civil Rights and to the Boston City Council's Staff Director who shall provide a copy to each and every City Councillor. The written record shall include, but not be limited to, (a) a summary of the terms of the contract, (b) the details of the Vendor's failure or refusal to conform with the City's CORI-related standards, and (c) a brief analysis of the exigency causing the grant of waiver.

No waiver may be considered perfected unless the Awarding Authority fully complies with the provisions of this sub-section.

4-7.5 Data Collection and Report.

Any Awarding Authority, Vendor, Applicant, or other interested party may contact the Office of Civil Rights to report any problems, concerns, or suggestions regarding the implementation, compliance, and impacts of these sections, and the Office of Civil Rights shall log every comment received with a summary of the comment and shall keep on file any written comments. Subsequent to logging any comment, the Office of Civil Rights may refer a complaint to the CHSB and shall notify the relevant Awarding Authority. The Office of Civil Rights shall prepare a written report including, but not limited to, a summary of the granted waivers, a summary of any feedback regarding CORI-related policies and/or practices, and any other information or analysis deemed noteworthy by the Director of the Office of Civil Rights. The Office of Civil Rights shall file the report with the Boston City Council via the Boston City Clerk every six (6) months from the implementation date of these sections.

4-7.6 Applicability.

If any provision of these sections imposes greater restrictions or obligations than those imposed by any other general law, special law, regulation, rule, ordinance, order, or policy then the provisions of these sections shall control.

4-7.7 Regulatory Authority.

The Office of Civil Rights shall have the authority to promulgate rules and regulations necessary to implement and enforce these sections and may promulgate a form of the Affidavit.

4-7.8 Severability.

If any provision of these sections shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

4-7.9 Implementation.

The provisions of these sections shall be effective on July 1, 2006.

In City Council

OCT 05 2005

Passed

Rosaria Salerno City Clerk

Approved

Thomas M. Allen

Mayor

CM FORM 15A

CORI COMPLIANCE

The City of Boston is subject to City of Boston Code, Chapter 4, section 7, which is intended to ensure that persons and businesses supplying goods and/or services to the City of Boston deploy fair policies relating to the screening and identification of person with criminal backgrounds through the CORI system. Vendors entering into contracts with the City must affirm that their policies regarding CORI information are consistent with the standards set by the City of Boston.

CERTIFICATION

The undersigned certifies under penalties of perjury that the vendor is in compliance with the provisions of City of Boston Code, Chapter 4, section 7, as currently in effect. All Vendors must check one of the three lines below.

1. _____ CORI checks are not performed on any Applicants.
2. _____ CORI checks are performed on some or all Applicants. The Vendor, by affixing a signature below, affirms under penalties of perjury that its CORI policy is consistent with the standards set forth on the attached CM Form 15B.
3. _____ CORI checks are performed on some or all Applicants. The Vendor's CORI policy is not consistent with the standards set forth on the attached CM Form 15B (a copy of the Vendor's written CORI policy must accompany this form).

(Typed or printed name of person signing quotation, bid or proposal)

Signature

(Name of Business)

NOTE:

The Awarding Authority may grant a waiver of CBC 4-7.3 under exigent circumstance on a contract by contract basis.

Instructions for Completing CM Form 15B:

A Vendor should not check Line 1 unless it performs NO CORI checks on ANY applicant. A Vendor who checks Lines 2 certifies that the Vendor's CORI policy conforms to the standards set forth in CM Form 15B. A Vendor with a CORI policy that does NOT conform to the standards set forth on CM Form 15B must check Line 3. Vendors who check Line 3 will not be permitted to enter into contracts with the City, absent a waiver, as provided for in CBC 4-7.4. For any waiver to be granted, a completed CM Form 15C must be completed by the awarding authority and attached hereto.

APPROVED AS TO FORM BY CORPORATION COUNSEL MAY 9, 2006.

CM FORM 15B

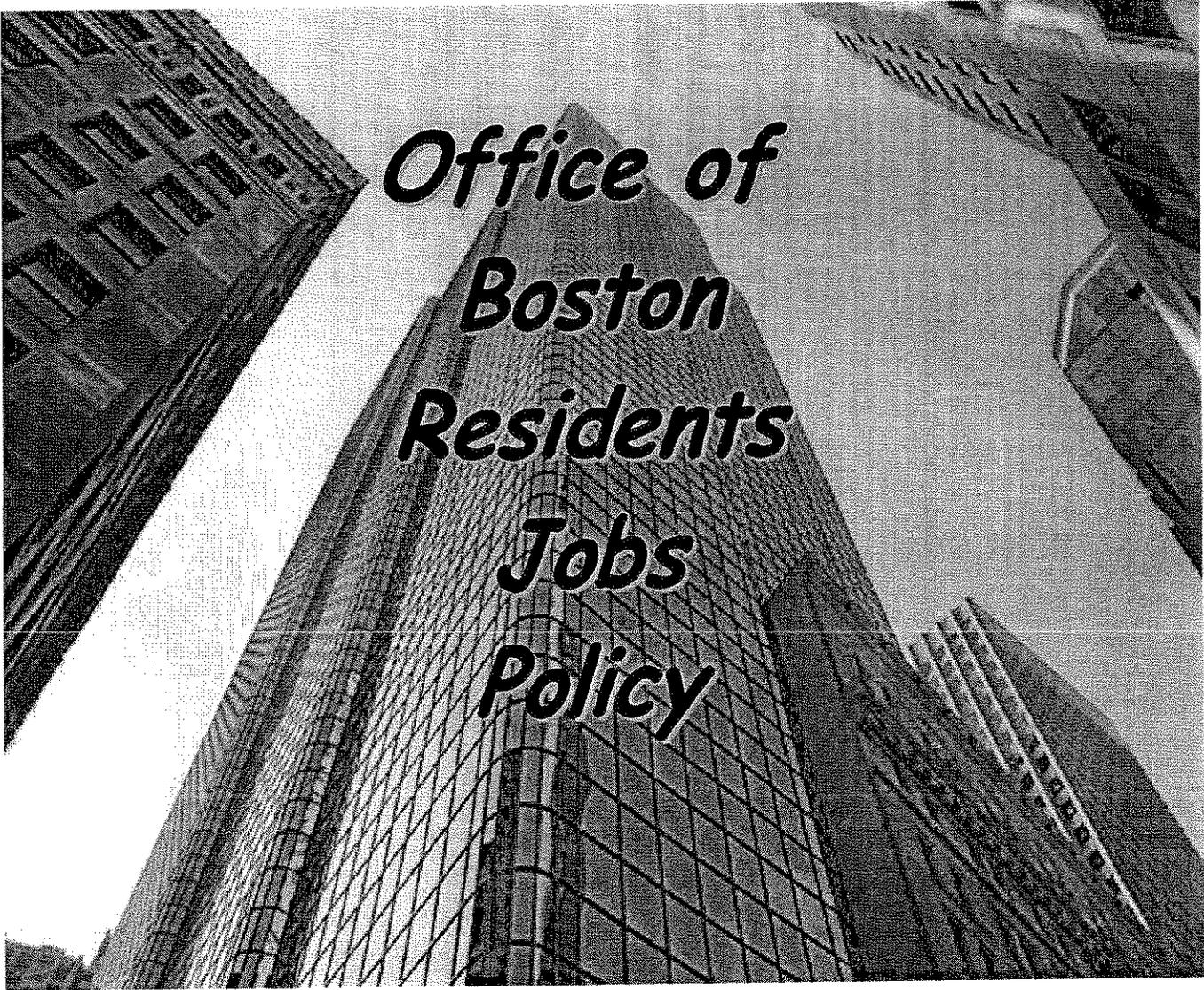
CORI COMPLIANCE STANDARDS

By checking line 2 on the foregoing CM Form 15A, the Vendor affirms that its CORI-related policies, practices, and standards are consistent with the following standards:

1. The Vendor does not conduct a CORI check on an Applicant unless a CORI check is required by law or the Vendor has made a good faith determination that the relevant position is of such sensitivity that a CORI report is warranted.
2. The Vendor reviews the qualifications of an Applicant and determines that an Applicant is otherwise qualified for the relevant position before the Vendor conducts a CORI check. The Vendor does not conduct a CORI check for an Applicant that is not otherwise qualified for a relevant position.
3. If the Vendor has been authorized by the CHSB to receive CORI reports consisting solely of conviction and case-pending information and the CORI report received by the Vendor contains other information (i.e. cases disposed favorably for the Applicant such as Not Guilty, Dismissal) then the Vendor informs the Applicant and provides the Applicant with a copy of CHSB's information for the Applicant to pursue correction.
4. When the Vendor receives a proper CORI report of an Applicant that contains only the CORI information that the Vendor is authorized to receive and the Vendor is inclined to refuse, rescind, or revoke the offer of a position to an Applicant, then the Vendor complies with 803 CMR 6.11 by, including, but not limited to, notifying the Applicant of the potential adverse employment action, providing the Applicant with a photocopy of the CORI report received by the Vendor, informing the Applicant of the specific parts of the CORI report that concern the Vendor, providing an opportunity for the Applicant to discuss the CORI report with the Vendor including an opportunity for the Applicant to present information rebutting the accuracy and/or relevance of the CORI report, reviewing any information and documentation received from the Applicant, and documenting all steps taken to comply with 803 CMR 6.11.
5. The Vendor makes final employment-related decisions based on all of the information available to the Vendor, including the seriousness of the crime(s), the relevance of the crime(s), the age of the crime(s), and the occurrences in the life of the Applicant since the crime(s). If the final decision of the Vendor is adverse to the Applicant and results in the refusal, rescission, or revocation of a position with the Vendor then the Vendor promptly notifies the Applicant of the decision and the specific reasons therefor.

APPROVED AS TO FORM BY CORPORATION COUNSEL MAY 9, 2006.

EXHIBIT F: BOSTON RESIDENT JOBS POLICY, LW-10A, FORM B-1, B-2, B-3



**Office of
Boston
Residents
Jobs
Policy**

**43 Hawkins Street
Boston, Massachusetts 02114**

(617) 918-5460

Fax (617) 918-5474

www.cityofboston.gov/brjp



**Thomas M. Menino
Mayor**

**Brooke E. Woodson
Director**

**Ola A. Fields
Manager**

BOSTON RESIDENTS JOBS POLICY HISTORY AND EMPLOYMENT STANDARDS

It is the policy of the City of Boston to comply with all laws and regulations concerning the hiring of workers in the construction process regarding federally assisted, city sponsored, and privately funded developments within the City limits.

The purpose of this document is to provide compliance information to developers and contractors so that they may more easily achieve compliance regarding the Boston Construction Employment Standards.

HISTORY

Chapter 30 of the Ordinance of 1983 established the Boston Residents Jobs Policy.

The Mayor's Executive Order of July 12, 1985, entitled The Executive Order Extending the Boston Residents Jobs Policy, requires the Developer to prepare, and submit, and the authority to approve, a construction employment plan.

The Boston Employment Commission has been established by an ordinance passed by City Council on July 30, 1986 and signed by the Mayor of the City of Boston. The Commission was created for the purpose of ensuring that findings may be determined with respect to compliance of the Boston Residents Jobs Policy in a manner that is comprehensive, consistent, and fair for all parties involved.

EMPLOYMENT STANDARDS

The Boston Residents Construction Employment Standards as set forth in the Mayor's Executive Order of July, 1985 entitled The Executive Order Extending the Boston Residents Jobs Policy, attached hereto as Exhibit A and adopted by the Boston Redevelopment Authority on July 26, 1985. Specifically, the Executive Order requires that the Developer's Construction Employment Plan shall ensure that on a craft by craft basis for construction employment for the Project, the following Boston Residents Construction Employment Standards are met:

- (1) at least fifty (50) percent of the total employee worker hours in each trade shall be by bona-fide Boston Residents.
- (2) at least twenty-five (25) percent of the total employee worker hours in each trade shall be by minorities; and
- (3) at least ten (10) percent of the total employee worker hours in each trade shall be by women.

For the purpose of this Plan, employees shall include persons filling apprenticeship and on-the-job training positions.

■ The Preconstruction Package and the Weekly Utilization Report can be downloaded from the BRJP website by clicking on Permits & Applications.

**EXCERPT FROM THE BOSTON RESIDENTS JOBS POLICY
BOSTON EMPLOYMENT COMMISSION ORDINANCE**

BEST FAITH EFFORTS

Developers and Contractors may rely on traditional referral methods in the hiring of journeymen, apprentices, advanced trainees and helpers. Developers and contractors also shall implement affirmative action steps, which include the following to the extent that such steps do not conflict with any collective bargaining agreement:

CONTRACTOR'S BEST EFFORTS

1. The contractor shall designate and shall require each subcontractor to designate an individual to serve as a compliance officer for the purpose of pursuing the Boston Residents Construction Employment Standards.
2. Prior to the start of construction, the contractor and each subcontractor then selected shall meet with appropriate representatives of the construction trade unions, representatives from the Boston Residents Jobs Policy Office, and the awarding or contracting authority for the purpose of reviewing the Standards and the estimated employment requirements for construction activity over the construction period of the Covered Project.
3. Whenever any person involved in the construction of a Covered Project makes a request to a union hiring hall, business agent or contractor's association for qualified workers, the requestor shall ask that those qualified applicants referred for construction positions be referred in the proportions specified in the Boston Residents Construction Employment Standards and shall, further, contain a recitation of such Standards. However, if the requesting party's workforce composition at any time falls short of any one or more of the proportions specified in the Standards, the requesting party shall adjust his or her request so as to seek to more fully achieve the proportions as specified in the Standards. If the union hall, business agent or contractor's association to whom a request for qualified employees has been made fails to fully comply with such a request, the requesting party's compliance officer shall seek written confirmation that there are insufficient employees in the categories specified in the request and that such insufficiency is documented on the unemployment list maintained by the hall, agent or association. Copies of any confirmation so obtained shall be forwarded to the Commission. Copies of any requests for qualified employees made at the time that the requesting party's workforce composition falls short of any one or more of such Standards shall be forwarded contemporaneously to the Boston Residents Jobs Policy Office.

BEST EFFORTS (continued)

4. All persons applying directly to the Contractor or any subcontractor for employment in construction of a Covered Project who are not employed by the party to whom application is made shall be referred by said party to the Boston Residents Jobs Policy Office, and a written record of such a referral shall be made by said party, a copy of which shall be sent to said Compliance and Enforcement Division.
5. Contractors shall maintain a current file of the names, addresses, and telephone numbers of each Boston Resident, Minority and Woman who has sought employment with respect to a Covered Project, or who was referred to the contractor by the Boston Residents Jobs Policy Office but was not hired. The contractor shall maintain a record of the reason any such person was not hired. (Amendment inclusion 9/26/86) If the construction of a Covered Project is subject to any union collective bargaining agreements, it shall be required that the employee complies with any lawful union security clauses contained in such agreement. (Amendment inclusion 9/26/86 ends)
6. The contractor shall in a timely manner complete and submit to the Commission a projection of the workforce needs over the course of construction of the Covered Project. Such a submission shall reflect the needs by trade for each month of the construction process.
7. The contractor shall obtain from each worker employed in the construction of the Covered Project, a sworn statement containing the worker's name and place of residence.
8. One week following the commencement of construction of the project, and each week thereafter until such work is completed, the contractor shall complete and submit to the Boston Residents Jobs Policy Office for the week just ended a report which reflects (a) for each employee, the employee's name, place of residence, race, gender, trade and total number of worker hours he or she worked, and (b) the total worker hours of its total workforce.
9. The contractor and each subcontractor shall maintain records reasonably necessary to ascertain compliance with the steps detailed in clauses (1) through (8) hereof for a least one year after the issuance of a Certificate of Occupancy for the Covered Project. In its review of records of a construction project submitted to demonstrate compliance with these steps, the Commission shall take into consideration any affirmative action outreach programs and affirmative action job training programs of the particular trades participating in the Covered Project.

BEST EFFORTS (continued)

DEVELOPER'S BEST EFFORTS

1. Developers of the Covered Project shall incorporate in every general construction contract or construction management agreement an enumeration of the Standards and shall impose a responsibility upon any such general contractor or construction management to take all steps enumerated in clauses (1) through (9), and to incorporate such Standards in all subcontracts and impose upon all subcontractors the obligation to take such steps.
2. The developer shall meet with the contractor no less frequently than weekly throughout the period of construction of the Covered Project to review the contractor's compliance with such Standards and steps. The developer shall maintain minutes of such meetings and shall forward a copy of such minutes to the Boston Residents Jobs Policy Office within ten (10) days of such meeting.
3. The developer shall comply with the escrow deposits as requirements of the Boston Employment Commission.

**SAMPLE LETTER INFORMING NEW SUBCONTRACTORS OF BOSTON
RESIDENTS JOBS POLICY OBLIGATIONS**

Dear:

All subcontractors performing work on the above referenced project must follow the following procedures and guidelines. This project is subject to the Boston Residents Jobs Policy, and will be monitored by the Boston Residents Jobs Policy Office and by this office to ensure that employment of 50% Boston residents, 25% minorities and 10% females is achieved and maintained.

1. Submit a letter to the union explaining that this project is subject to the Boston Residents Jobs Policy, which requires that employment of 50% Boston residents, 25% minorities and 10% females must be achieved on a weekly basis until completion of your contract with this company.
2. As your company gets ready to hire workers from the local union, keep in mind that all requests made by your job representative in your office must be done in writing. All requests must include:

The name of the representative making such request, name of persons s/he contacted at the union hall, date of contact and action taken by union representative.

3. A meeting is to take place with union business agents before your company starts any type of work on this project.
4. Records must be kept by your office for all walk-in applicants. Records should include the name, address, and telephone number of the applicant, the position for which the applicant applied, whether the applicant is a resident, minority or female, and action taken by your office. The result & action for all applicants must be documented.
5. A meeting will be called by the General Contractor and the Boston Residents Jobs Policy Office to discuss what other steps will be taken to help your office comply with these requirements.

Implementation of the above guidelines will help to make this project a success.

Sincerely,

cc: Boston Residents Jobs Policy Office

**BRJP
EMPLOYMENT PLAN
QUARTERLY WORK FORCE PROJECTION TABLE**

PROJECT:			
CONTRACTOR:		ADDRESS:	
CONTACT:		PHONE NUMBER:	
QUARTER START DATE:		QUARTER END DATE:	
MONTH			
TRADE:			
TOTAL EMPLOYEES			
RESIDENT EMPLOYEES			
MINORITY EMPLOYEES			
FEMALE EMPLOYEES			
TRADE:			
TOTAL EMPLOYEES			
RESIDENT EMPLOYEES			
MINORITY EMPLOYEES			
FEMALE EMPLOYEES			
TRADE:			
TOTAL EMPLOYEES			
RESIDENT EMPLOYEES			
MINORITY EMPLOYEES			
FEMALE EMPLOYEES			
TRADE:			
TOTAL EMPLOYEES			
RESIDENT EMPLOYEES			
MINORITY EMPLOYEES			
FEMALE EMPLOYEES			
TRADE:			
TOTAL EMPLOYEES			
RESIDENT EMPLOYEES			
MINORITY EMPLOYEES			
FEMALE EMPLOYEES			

COMPANY OFFICIAL'S SIGNATURE: _____ DATE: _____

WEEKLY UTILIZATION REPORT

(INSERTED HERE)

BOSTON RESIDENT VERIFICATION FORM

This form must be submitted to verify the address of all Boston resident employees and to report the change of address for any Boston resident employee while working on this project.

Check if reporting an address change. Date moved: _____

Project Name: _____

Contractor Name: _____

Employee Name: _____

Address: _____ Race: _____ Sex: _____

City: _____

State & Zip: _____

Phone: _____

Race Codes

- A. Asian
- B. Black
- C. Caucasian
- H. Hispanic
- O. Other (specify)
 - Native American
 - Cape Verdean

Date Arrived on Job Site: _____ Trade: _____

Check if Applicable: Non-union Union (Local) New Hire Transfer

I hereby state under the pains and penalties of perjury that the foregoing information is true.

Signature of Employee: _____ Date: _____

PLEASE ATTACH A PHOTOCOPY OF ONE OF THE BELOW DOCUMENTS AS PROOF OF RESIDENCY.

- _____ Driver's License (current)
- _____ Massachusetts Identification Card (current)
- _____ Utility Bill (Bill must be less than 6 months old)

Signature of Contractor
or Subcontractor: _____ Date: _____

RACE AND ETHNIC STANDARDS

- C) **CAUCASIAN:** A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.
- B) **BLACK:** A person having origins in any of the black racial groups of Africa.
- H) **HISPANIC:** A person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish/Indian cultural origins. (This category is not to include people of European or Arabic ancestry.)
- A) **ASIAN OR PACIFIC ISLANDERS:** A person having origins in any of the original peoples of the Far East, Southeastern Asia, the Indian Subcontinent, or the Pacific Islands. This area includes China, Japan, Korea, the Philippine Islands, Samoa, India, Pakistan, Bangladesh, Sri Lanka, Nepal, Sikhism, and Shulan.
- O) **NATIVE AMERICAN OR ALASKAN NATIVE:** A person having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.
- O) **CAPE VERDEAN:** A person having origins in any of the original peoples of the Cape Verde Islands.

NOTE: Ethnic classifications are based on section one, (11) of the 1986 Ordinance establishing the Boston Residents Jobs Policy as defined by the U.S. Bureau of the Census and promulgated by the Federal Office of Management and Budget.

AREAS THAT COMPRISE THE CITY OF BOSTON

Allston
Charlestown
Dorchester
Fenway/Kenmore
Jamaica Plain
Mission Hill/Longwood
Readville
Roxbury
South End



Brighton
Chinatown
East Boston
Hyde Park
Mattapan
North End
Roslindale
South Boston
West Roxbury

BRJP OFFICE – TRADECODE DESCRIPTION

ASBESTOS WORKER	MASON
ASPHALT RAKER	MASON TENDER
BLASTER	METAL REFINISHER
BRICKLAYER	MILLWRIGHT
CARPENTER	OILER
CARPET LAYERS	PAINTER
CEMENT FINISHER	PILEDRIVER
CEMENT LABORER	PIPEFITTER
CURBSETTER/PAVER	PIPELAYER
DRILLER	PITCHWORKER
ELECTRICIAN	PLASTERER
ELEVATOR CONSTR. HELPER	PLUMBER
ELEVATOR CONSTRUCTOR	PUMPMAN
EQUIPMENT OPERATOR	ROOFER
FLOOR COVERER	SANDBLASTER
GLAZIER	SHEETMETAL WORKER
GROUNDMAN	SPLICER
HVAC	SPRINKLER FITTER
INSTALLER/APT WIRER	TAPER
INSULATOR	TERRAZZO WORKER
IRON WORKER	TREE SURGEON
LABORER	WATERPROOFER
LINEMAN	WELDER
MARBLE TILE WORKER	WRECKER

If the trade utilized by your company is not listed above, please contact the BRJP Construction Monitor for your project.

WORK FORCE REQUEST DOCUMENTATION

PROJECT: _____

Submit this form when requests for new employees are made.

FROM:			
DATE REQUESTED:	DATE REQUIRED:		
LOCAL #:			
REQUEST MADE TO:			
NAME:			
I. REQUEST (S) MADE TO UNION:			
TRADE:			
TOTAL	RESIDENT	MINORITY	FEMALE
TRADE:			
TOTAL	RESIDENT	MINORITY	FEMALE
REQUEST MADE BY:			
NAME:			
II. ACTUAL EMPLOYEE (S) SENT BY UNION:			
TRADE:			
TOTAL	RESIDENT	MINORITY	FEMALE
TRADE:			
TOTAL	RESIDENT	MINORITY	FEMALE

Please note this form should be used for all telephone calls made to your local union representative, when requesting workers. Please have your union follow-up in writing with your request and submit it to the general contractor. Workforce Request Documentation Forms without a follow-up letter will not be considered as a "Best Faith Effort".

APPLICANT DISPOSITION FORM

DATE:	PROJECT NAME:	CONTRACTOR:
APPLICANT NAME:		MIN ___ RES ___ FEM ___ (Please check all that apply)
ADDRESS:		TEL. NO.:
POSITION APPLIED FOR:	<input type="checkbox"/> NON-UNION <input type="checkbox"/> UNION:(PLEASE SPECIFY)	
LIST ALL TRADES EXPERIENCED IN:		
RECRUITMENT SOURCE (PLEASE SPECIFY):		
RESULTS:		
___ HIRED		
___ NOT HIRED REASON: _____		
___ REFERRED TO UNION: RESULT: _____		
___ REFERRED TO SUBCONTRACTOR ___ HIRED ___ NOT HIRED		
REASON NOT HIRED: _____		

ALL REFERRALS REQUIRE A FOLLOW-UP PHONE CALL EITHER TO THE LOCAL UNION, THE BOSTON RESIDENTS JOBS POLICY OFFICE AND/OR SUBCONTRACTOR TO WHOM THE REFERRAL WAS MADE TO:

CONTACT PERSON:

FOLLOW-UP RESULTS:

CONTRACTOR GUIDELINES

Employment Plan/ Quarterly Workforce Projection

- Due two weeks prior to starting work and/or two weeks prior to a new quarter. The quarters for the City of Boston are as follows: first quarter- July, August, & September, second quarter- October, November & December, third quarter- January, February, & March, and fourth quarter- April, May, & June.
- For each month during the quarter, estimate the number of workers that will be employed on site by trade.

Weekly Utilization Reports

- The Weekly Utilization Reports (weeklies) must be legible (preferably typed). Weeklies which are illegible or incomplete will be returned to the general contractor. This will effect the submission time. The date we receive the corrected weekly will be the new received date.
- All weeklies submitted should use the same project name, as listed on the contract specification.
- You must spell out completely the name of the project, your company name and address, and the name, address, social security number, trade, sex and ethnicity of each worker on each weekly.
- Weeklies must be filled out completely (only federal prevailing wage contracts should fill out the last six columns) including the tally on the bottom right of the weekly.
- Each worker's trade must be clearly described using the authorized BRJP trade code list. If a trade you employ is not on the list, please call the designated BRJP construction monitor to have a new trade code assigned before submitting the weekly.
- All supervisory personnel including all non-working foremen, administrative staff, truck drivers, surveyors and field engineers must be omitted from the weekly.
- The weekly must be signed by a company official.
- All computerized payroll reports must be in the same format as BRJP'S Weekly Utilization Report.
- The submission time for weeklies is seven working days from the week end date.
- You must use the space provided on the weeklies to clearly identify the first and final report. This represents the start and stop notification to BRJP.
- From the weekly, BRJP will receive notification from a contractor as follows:
 - a. by indicating the start of work as Week No. "1";
 - b. by indicating each following week with the next consecutive week number,

- c. by checking off the "Final Weekly" box for the last week of work and;
- d. by stating "No Work" on the Weekly Utilization Form when the contractor is not working on the project for a specific week.

Boston Resident Verification Form

- Provide the Boston Resident Verification Form the first time a Boston resident employee is reported on the weekly and provide proof of residency for current Boston address. Attach a copy of a Massachusetts Driver's License, Massachusetts Identification Card, or a utility bill.
- Use the Boston Resident Verification Form to report a change of address. Put a check mark in the box, if reporting a change of address, and indicate date moved. Attach a copy of a Massachusetts Driver's License, Massachusetts Identification Card or a utility bill for a Boston address. As needed, forward documentation to general contractor with Weekly Utilization Reports.
- The address on documentation submitted to verify a Boston resident, must match the address submitted on payroll reports, and the Boston Resident Verification Form.
- A P.O. Box is not an acceptable address for an employee that is identified as a Boston resident.
- An expired Driver's License will not be accepted to verify a Boston address.
- Utility bills must be current. The date on the bill must be within six months of dated submitted to the Office of the Boston Residents Jobs Policy.
- All utility bills must have a date imprinted on the bill.
- A W-4 form, I-9 form, W-2 Form, Passport, and a cell phone bill will not be accepted to verify a Boston Resident's address.

Workforce Request Forms

- The Workforce Request Form must be completed each time a contractor request workers through its union.
- It is important that section 2 (Actual Employee (s) sent by the union) is completed.

Applicant Disposition Form

- Form should be completed by all individuals who walking on site looking for work. The general contractor **must** complete the results section of the form and forward it to the Boston Residents Jobs Policy Office. Incomplete forms are not acceptable.



Mass.Gov

Public Safety

Home > Consumer Protection & Business Licensing > License Type by Business Area > Construction Supervisor
License >

8th Edition Base Code

The 8th edition of the Base Code is comprised of the International Building Code 2009 (IBC), several companion I-codes and a separate package with Massachusetts amendments to the I-codes. The IBC and its companion codes are sold by the International Code Council www.iccsafe.org and the Massachusetts amendments package is sold by the [State House Bookstore](#) (617-727-2834).

Key references needed to properly use all chapters of the Base Code are listed in the table below.

2009 International Codes (I-Codes)	Massachusetts Regulations
IBC - International Building Code	780 CMR - MA Amendments to the IBC
IEBC - International Existing Building Code	527 CMR - MA fire prevention and electrical regulations
IECC - International Energy Conservation Code	521 CMR - MA accessibility regulations
IMC - International Mechanical Code	248 CMR - MA plumbing regulations
IFC - International Fire Code	524 CMR - MA elevator regulations

An electronic version of the Massachusetts amendments package is provided below for convenience but it is not official. Please contact the [State House Bookstore](#) for the official version.

Adobe Acrobat Reader is required to view these files. [Click here for a free download.](#)

User tip: First find a topic location in the IBC table of contents. Then come back to this screen, open the appropriate MA amendment chapter and scroll to the specific section to see if amendments apply to that section. Also, don't forget to further check for amendments since August 2010, which are posted on the preceding web page.

- Massachusetts Amendments to the IBC (August 2010)

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2. [Definitions PDF](#) (59kb)
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4. [Special Detailed Requirements Based on Use and Occupancy PDF](#) (101kb)
5. [General Building Heights and Areas PDF](#) (51kb)
6. [Types of Construction PDF](#) (44kb)
7. [Fire and Smoke Protective Features \(No MA amendments.\) PDF](#) (40kb)
8. [Interior Finishes PDF](#) (56kb)
9. [Fire Protection Systems PDF](#) (146kb)
10. [Means of Egress PDF](#) (64kb)
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- 34. [Existing Structures PDF](#) (158kb)
- 35. [Referenced Standards PDF](#) (53kb)

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- R1 Concrete Testing Laboratories Licensing
- R2 Concrete Field Testing Technician
- R3 Manufactured Buildings, Building Components and Mobile Homes
- R4 Licensing Native Lumber Producers
- R5 Construction Supervisors
- R6 Reserved
- R7 Certification of Inspectors of buildings, Building Commissioners and Local Inspectors

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- A. Employee Qualifications – *Reserved*
- B. Board of Appeals – *Reserved*
- C. Group U Agricultural Buildings
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- K. Administrative Provisions – *Reserved*
- AA. Stretch Energy Code



CITY OF BOSTON JOBS AND LIVING WAGE ORDINANCE

THE LIVING WAGE DIVISION ● (617) 918-5259

BENEFICIARY AFFIDAVIT

Any for-profit Beneficiary who employs at least 25 full-time equivalents (FTE) or any not-for-profit Beneficiary who employs at least 100 FTEs who has been awarded Assistance of \$100,000 or more from the City of Boston must comply with the **First Source Hiring Agreement** provisions of the Boston Jobs And Living Wage Ordinance.

If you are submitting a Request for Proposal, Request for Qualification, or Invitation for Bid, or negotiating a loan, grant, or other financial Assistance that meets the above criteria, you must submit this Affidavit along with your proposal. If you believe that you are exempt from the First Source Hiring Agreement provisions of the Boston Jobs And Living Wage Ordinance, complete Section 4: Exemption: First Source Hiring Agreement provisions, or if you are requesting a General Waiver, please complete Section 5: General Waiver Reason(s).

IMPORTANT: Please print in ink or type all required information. Assistance in completing this Form may be obtained by calling The Living Wage Administrator, The Living Wage Division of the Office Of Jobs And Community Services, telephone: (617) 918-5259, facsimile: (617) 918-5299.

Part 1: BENEFICIARY OF ASSISTANCE INFORMATION:

Name of Beneficiary: _____

Contact Person: _____

Address: _____
Street City Zip

Telephone #: _____ Fax #: _____

E-Mail: _____

Part 2: ASSISTANCE INFORMATION:

Name of the program or project under which the Assistance is being awarded:

Awarding Department: _____

Bid or Proposal Amount: \$ _____

Date Assistance Documents Executed: _____ Award End Date: _____

Duration of Award: 1 year 2 years 3 years Other: _____ (years)

PART 3: ADDITIONAL INFORMATION

Please answer the following questions regarding your company or organization:

1. Your company or organization is: *check one*:

- For Profit
- Not For Profit

2. Total number of employees whom you employ: _____

3. Total number of employees who will be assigned to work on the above-stated Award: _____

4. Do you anticipate hiring any additional employees?

- Yes
- No

If yes, how many additional F.T.E.s do you plan to hire? _____

PART 4: EXEMPTION FROM FIRST SOURCE HIRING AGREEMENT PROVISIONS OF THE BOSTON JOBS AND LIVING WAGE ORDINANCE

Any Beneficiary who qualifies may request an Exemption from the First Source Hiring Agreement provisions of the Boston Jobs And Living Wage Ordinance by completing the following:

I hereby request an exemption from the First Source Hiring Agreement provisions of the Boston Jobs And Living Wage Ordinance for the following reason(s): Attach any pertinent documents to this Application to prove that you are exempt. Please check the appropriate box(es) below:

- The construction contract awarded by the City of Boston is subject to the state prevailing wage law; and
- Assistance awarded to youth programs, provided that the award is for stipends to youth in the program. "Youth Program" means any city, state, or federally funded program which employs youth, as defined by city, state, or federal guidelines, during the summer, or as part of a school to work program, or in other related seasonal or part-time program; and
- Assistance awarded to work-study or cooperative educational programs, provided that the Assistance is for stipends to students in the programs; and
- Assistance awarded to vendors who provide services to the City and are awarded to vendors who provide trainees a stipend or wage as part of a job training program and provides the trainees with additional services, which may include but are not limited to room and board, case management, and job readiness services, and provided further that the trainees do not replace current City funded positions.

Please give a full statement describing in detail the reasons you are exempt from the First Source Hiring Agreement provisions the Boston Jobs And Living Wage Ordinance (attach additional sheets if necessary):

PART 5. GENERAL WAIVER REASON(S)

I hereby request a General Waiver from the First Source Hiring Agreement provisions of the Boston Jobs And Living Wage Ordinance. The application of the First Source Hiring Agreement provisions to my Assistance violates the following state or federal statutory, regulatory or constitutional provision or provisions.

State the specific state or federal statutory, regulatory or constitutional provision or provisions, which makes compliance with the First Source Hiring Agreement provisions unlawful:

GENERAL WAIVER ATTACHMENTS:

Please attach a copy of the conflicting statutory, regulatory or constitutional provisions that makes compliance with this ordinance unlawful.

Please give a full statement describing in detail the reasons the specific state or federal statutory, regulatory or constitutional provision or provisions makes compliance with the First Source Hiring Agreement provisions unlawful (attach additional sheets if necessary):

PART 6: BENEFICIARY OF ASSISTANCE AFFIDAVIT:

I, (please print or type) _____, the Beneficiary, certify and swear/affirm that the information provided on this *Beneficiary Affidavit* is true and within my own personal knowledge and belief.

Signed under the pains and penalties of perjury.

SIGNATURE: _____ DATE: _____

TITLE: _____



CITY OF BOSTON JOBS AND LIVING WAGE ORDINANCE

THE LIVING WAGE DIVISION • (617) 918-5259

NOTICE TO BENEFICIARIES

Requirements Of The Boston Jobs And Living Wage Ordinance

All City of Boston Departments awarding Assistance must provide Beneficiaries with a copy of this Notice.

IMPORTANT NOTICE: Beneficiaries are required to comply with the First Source Hiring Provisions of the Boston Jobs and Living Wage Ordinance. Beneficiaries are not required to comply with the Living Wage Provisions of the Ordinance.

1. **BENEFICIARIES:** Any for-profit employer who employs at least 25 full-time equivalents (FTE) or any not-for-profit employer who employs at least 100 FTEs who has been awarded Assistance of \$100,000 or more from the City of Boston must comply with the *First Source Hiring Agreement Provisions* of the Boston Jobs And Living Wage Ordinance. FTE is defined in the Living Wage Ordinance as a formula to calculate the number of employee work hours that equal one full-time position. For the purposes of this Ordinance, full-time shall mean the standard number of working hours, between 35 hours and 40 hours per week that is used by the Beneficiary to determine full time employment.
2. **DEFINITION OF ASSISTANCE:** Assistance shall mean any loan, grant, tax incentive, bond financing, subsidy, or other form of Assistance of \$100,000 or more realized by or through the authority or approval of the City of Boston, including, but not limited to Industrial Development Bonds, Community Development Block Grant (CDBG) loans and federal Enhanced Enterprise Community designations. Leases and subleases are not Assistance.
3. **BENEFICIARY AFFIDAVIT REQUIRED:** All Beneficiaries receiving an award from the City of Boston of \$100,000 or more, must file a **BENEFICIARY AFFIDAVIT, (FORM B-1)**, along with their submission to the Awarding Department.
4. **FIRST SOURCE HIRING AGREEMENT:** All Beneficiaries who are awarded Assistance from the City of Boston shall sign a *First Source Hiring Agreement (Form B-3)* with one or more Referral Agencies or One-Stop Career Centers.
5. **THE LIVING WAGE DIVISION:** The Living Wage Division of the Office of Jobs and Community Services is the agency responsible for overall implementation, compliance and enforcement of the Ordinance. They are located at 43 Hawkins Street, Boston, MA, 02114. If you need assistance or further information contact the Living Wage Administrator at (617) 918-5259; fax: (617) 918-5299.
6. **IMPORTANT TAX INFORMATION/EARNED INCOME CREDIT:** Certain employees who earn less than \$49,000 per year **may** be eligible for certain federal and/or state tax credits called **EARNED INCOME CREDIT**. Your payroll clerk is required to keep on hand the appropriate Internal Revenue Service forms, (Federal Form W5), information and instructions in the event any of your employees requests assistance in this matter.



CITY OF BOSTON JOBS AND LIVING WAGE ORDINANCE

THE LIVING WAGE DIVISION ● (617) 918-5259

FIRST SOURCE HIRING AGREEMENT Beneficiaries of Assistance

Under the Boston Jobs and Living Wage Ordinance and Regulations, all Beneficiaries (hereinafter referred to as "the Employer" for the purposes of this Agreement) are required to sign a First Source Hiring Agreement with a Referral Agency or Boston One-Stop Career Center (The Employer may sign additional First Source Hiring Agreements with as many Referral Agencies or Boston One-Stop Career Centers as it chooses.) For a complete list of approved Referral Agencies and Boston One-Stop Career Centers, see the attached Form LW-10A.

INSTRUCTIONS FOR BENEFICIARIES OF ASSISTANCE: You are not required to complete this form until after your Assistance has been awarded. After your Assistance is awarded, you are required to do the following:

1. Complete the portions of this agreement that are applicable to you (Parts 1,2 and 5A)
2. Within five (5) business days after your documents are executed, deliver this agreement (or fax) to a **REFERRAL AGENCY OR BOSTON ONE-STOP CAREER CENTER** of your choice.

INSTRUCTIONS FOR REFERRAL AGENCIES AND BOSTON ONE-STOP CAREER CENTERS: Upon receipt of this Agreement, you are required to do the following:

1. An authorized person of the Referral Agency or Career Center must complete Part 3 of this Form and sign the Agreement in Part 5B.
2. Submit this Agreement within two (2) days of receipt to:

**LIVING WAGE ADMINISTRATOR
LIVING WAGE DIVISION
OFFICE OF JOBS AND COMMUNITY SERVICE
43 HAWKINS STREET
BOSTON, MASSACHUSETTS, 02114**

NOTE: All parties to this Agreement should carefully read **Part 4: AGREEMENT OF PARTIES** If you have any questions telephone the Living Wage Administrator at (617) 918-5259.

Part 1: EMPLOYER INFORMATION:

Name of Employer: _____

Contact Person: _____

Address: _____
Street City Zip

Telephone #: _____ Fax #: _____

E-Mail Address: _____

Part 2: NAME AND IDENTIFICATION NUMBER OF THE PROGRAM OR PROJECT UNDER WHICH THE ASSISTANCE WAS AWARDED:

Part 3: REFERRAL AGENCY OR BOSTON ONE-STOP CAREER CENTER INFORMATION:

Agency Name: _____

Contact Person: _____

Address _____
Street City Zip

Telephone #: _____ Fax #: _____

E-Mail Address _____

Part 4: AGREEMENT OF PARTIES

The Employer and the Referral Agency or Boston One Stop Career Center signing this agreement agree to the following terms and conditions:

1. Prior to announcing or advertising an employment position for work which shall be performed as a result of Assistance created either as a result of a vacancy of an existing position or of a new employment position, the Employer shall notify the Referral Agency and/or Career Center about the position, including a general description and the Employer's minimum requirements for qualified applicants for such position. The notification shall also contain the words: **BOSTON JOBS AND LIVING WAGE ORDINANCE POSTING**, prominently displayed at the top of the first page of the notification.

2. The Employer shall not make such public announcement or advertisement for a period of five (5) business days after notification to the Referral Agency and/or Career Center of the availability of such position. Such five (5) day period is hereinafter referred to as the *Advance Notice Period*. The Referral Agency or Career Center may make public announcements or advertisements of the job position at any time. Any posting, public announcement or advertisement shall clearly state that only Boston residents may be referred for such job opportunities during the Advance Notice Period.
3. The Referral Agency or Career Center shall post any **BOSTON JOBS AND LIVING WAGE ORDINANCE JOB OPPORTUNITY NOTICE** within the first business day after receipt of the Notification from the Employer in a prominent location for a period of at least the five (5) business days. (*Advance Notice Period*). The Referral Agency or Career Center shall provide information on such job opportunities to all Boston residents who receive services. The Referral Agency or Career Center may refer qualified candidates to the Employer. The Referral Agency or Career Center shall maintain a database of such job opportunities.
4. The *Advance Notice Period* shall be waived if the Referral Agency and/or Career Center has no qualified candidates to refer to the Employer.
5. The Referral Agency or Career Center shall institute a tracking system and record the job postings referred by Employers, the number of applicants referred to jobs during the *Advance Notice Period*, which applicants were interviewed, which applicants were not interviewed, and which applicants were hired for the positions or any other information deemed relevant by the Living Wage Administrator. The Referral Agency or Career Center shall forward this information to the Living Wage Administrator, monthly, in a manner prescribed by the Living Wage Administrator.
6. The Agreement does not require the Employer to comply with these procedures if it fills the job vacancy or newly created position by transfer or promotion from existing staff or from a file of qualified applicants previously referred to the Employer by the Referral Agency and/or Career Center.
7. The Agreement shall not require the Employer to hire any applicant referred under the terms of this Agreement.
8. Beneficiaries who receive Assistance from the City in the amount of one million dollars (\$1,000,000) or more in any twelve month period shall be required to comply with the first source hiring provisions of the Boston Jobs And Living Wage Ordinance for five years from the date such assistance reaches the one million (\$1,000,000) threshold. Beneficiaries receiving less than one million dollars but at least one hundred thousand dollars (\$100,000) of Assistance in any twelve-month period shall be required to comply with the first source hiring provisions of the Boston Jobs and Living Wage Ordinance for one year.

PART 5: SIGNATURES

An owner or officer of the Employer as well as the Referral Agency or Boston One-Stop Career Center must sign this Agreement.

A. SIGNATURE

On behalf of _____ (Employer), I agree to comply with the terms and conditions of this First Source Hiring Agreement.

_____	_____
PRINT/TYPE NAME	JOB TITLE
_____	_____
SIGNATURE	DATE

B. REFERRAL AGENCY OR BOSTON ONE-STOP CAREER CENTER AUTHORIZED SIGNATURE

On behalf of the **REFERRAL AGENCY OR BOSTON ONE-STOP CAREER CENTER** named in Part 3 of this Agreement, I agree to provide services in accordance with the terms and conditions of this First Source Hiring Agreement

_____	_____
PRINT/TYPE NAME	JOB TITLE
_____	_____
SIGNATURE	DATE



CITY OF BOSTON JOBS AND LIVING WAGE ORDINANCE

THE LIVING WAGE DIVISION • (617) 918-5259

CERTIFIED REFERRAL AGENCIES AND BOSTON ONE-STOP CAREER CENTERS

All Covered Vendors and Beneficiaries of Assistance shall sign a First Source Hiring Agreement with one or more Referral Agencies or one or more Boston One Stop Career Centers. Please note that the following entities have been certified by the Living Wage Division of the Office of Jobs and Community Services to meet the First Source Hiring Agreement Requirements of the Boston Jobs And Living Wage Ordinance.

BOSTON CAREER LINK

c/o Morgan Memorial
1010 Harrison Avenue
Boston, MA 02119
TEL: (617) 536-1888
FAX: (617) 536-1987
TTY: (617) 867-4687
Contact: Stella Mereves x 788

SOUTH BOSTON RESOURCE CENTER

489 East Broadway
South Boston, MA 02127
TEL: (617) 635-0771
FAX: (617) 635-0775
Contact: Edward Downs

JOBNET

210 South Street
Boston, MA 02111
TEL: (617) 338-0809
FAX: (617) 338-2050
TTY: (617) 338-4311
Contact: Ed Crognalo x 215

ROXBURY EMPLOYMENT RESOURCE CENTER

2201 Washington Street
Roxbury, MA 02119
TEL: (617) 989-9100
FAX: (617) 989-9125
Contact: Alan Gentle x162

THE WORKPLACE

29 Winter Street, 4th Fl
Boston, MA 02111
TEL: (617) 737-0093
FAX: (617) 428-0380
TTY: (617) 428-0390
Contact: Debra Garrett x 118

ALLSTON BRIGHTON RESOURCE CENTER

367 Western Avenue
Brighton, MA 02135
TEL: (617) 562-5734
FAX: (617) 562-5737
Contact: Cathy Snedeker