

REQUEST FOR PROPOSALS



CHARLESTOWN BATTALION ARMORY

Proposal Submission Deadline: 4:00 pm May 23, 2013

**CITY OF BOSTON
Thomas M. Menino, Mayor**

**Department Of Neighborhood Development
Sheila A. Dillon, Director & Chief of Housing**

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1. Program Description: Market-Rate Disposition Program

The City of Boston acting by and through the Public Facilities Commission by the Director of the Department of Neighborhood Development (DND) is responsible for the disposition of all properties that the City has determined are not needed for municipal purposes, including tax-foreclosed properties and surplus municipal land and buildings. DND offers these properties through a number of programs that are designed to generate significant public benefits as a result of the disposition and redevelopment of the property. These disposition programs include programs to create affordable housing, programs to sell small parcels to abutting property owners for open space uses, programs to create community-owned gardens, and programs to support neighborhood economic development.

The Market-Rate Disposition Program seeks to generate public benefits in three ways: 1) strengthening neighborhoods by reducing the amount of vacant and underutilized property that exists in the community, 2) stimulating economic activity by requiring significant private investment in the redevelopment of the property, and 3) generating sales and tax revenues for the City of Boston.

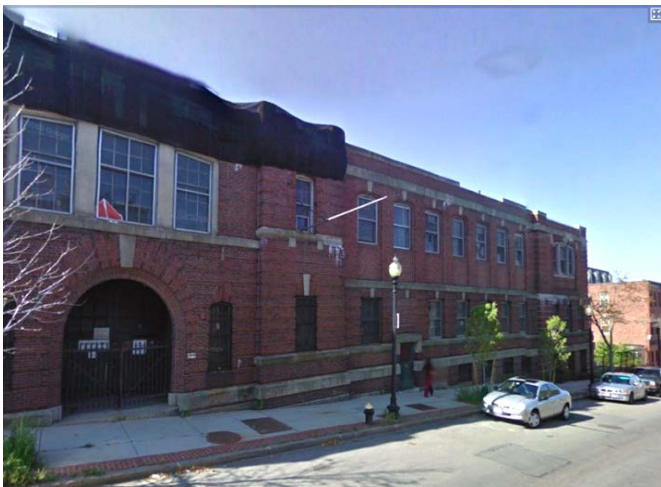
It should be understood that properties sold under this program are not completely unrestricted. Before offering a property under the Market-Rate Disposition Program, DND consults extensively with local residents and community leaders to establish development guidelines that reflect the community preferences regarding preferred, acceptable and unacceptable uses. Those preferences are then incorporated into the development objectives that govern the development options that are available for developers to offer.

DND's property disposition process operates in accordance with Massachusetts General Law (MGL), Chapter 30B which governs municipal property dispositions. Accordingly, DND reviews all proposals it receives under this Request For Proposals (RFP), disqualifies any that do not meet the "Minimum Eligibility Criteria" described in Section 8 of this RFP, ranks the remaining proposals according to the Comparative Evaluation Criteria set forth in Section 8, and then designates the selected developer for the property. DND administers its programs in accordance with federal, state, and local equal opportunity and fair housing laws, regulations, and requirements. This includes affirmatively furthering fair housing and providing equal access to information about development opportunities.

2. Property & Neighborhood Information: Charlestown Battalion Armory

THE PROPERTY

Located at 374-398 Bunker Hill Street (Assessor's parcel #0201186000) the building is a large, Georgian revival masonry structure built in 1907, featuring architectural details such as a partial gable slate roof and decorative cast stone and lentils. The Charlestown Battalion Armory, which fills an entire block on Bunker Hill Street between Auburn and Baldwin Streets, provided drill space for four local military companies, including the 192nd Infantry Regiment, the oldest combat regiment in the United States army. The land area of the site is approximately 47,567 square feet with approximately 38,400 square feet of space contained in the building. The building has different levels ranging from one to three at various locations, as well as a sub-basement level.



In 1968, the Commonwealth of Massachusetts Armory Commission deeded the Armory to the Trustees of the Boston Public Library (BPL). The BPL used the armory as a book depository, most recently housing the Jordan Collection, the largest collection of children's books in the world. In 2010, The Trustees of the BPL, after rehousing the Jordan Collection in West Roxbury, deeded the Armory to the City of Boston and the care and custody of the Department of Neighborhood Development (DND), Public Facilities Commission. On September 15, 2010 the Boston City Council voted to declare the property surplus, thereby allowing DND to commence with its disposition.

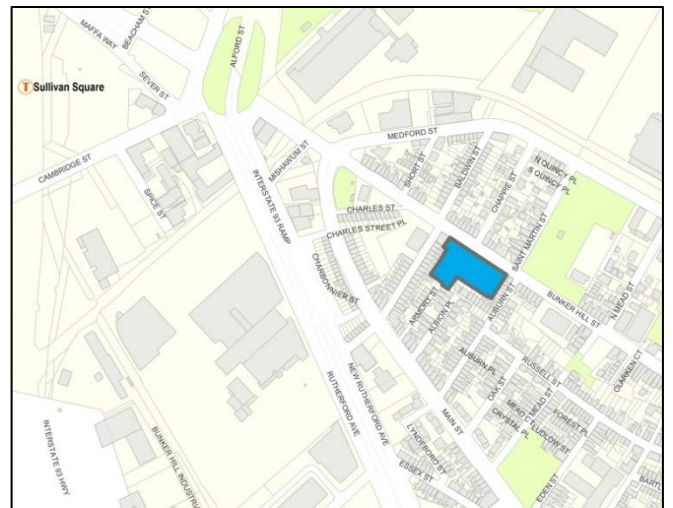


Zoning: the property is currently zoned *3F-2000 Residential* with a minimum lot area of 2,000 SF plus 1,000 SF/unit and a Floor Area Ratio of 2.0. It is the responsibility of the developer to obtain the variances necessary to complete his/her proposed project from the City of Boston Zoning Board of Appeals. The developer must also complete the appropriate Article 80 review process with the Boston Redevelopment Authority (BRA). More information about the specific zoning requirements can be obtained at: <http://www.bostonredevelopmentauthority.org/zoning/zoning.asp>

requirements can be obtained

THE NEIGHBORHOOD

The site is located in the Bunker Hill/West Middlesex Canal area of Charlestown, between Auburn and Baldwin Streets, one block from a neighborhood park and less than one half mile from the Sullivan Square Orange Line MBTA stop. Whole Foods is currently renovating a former community supermarket and will be the anchor in a small shopping center located approximately 2/3 of a mile from this site. The Whole Foods expects to open in the fall of 2013. The shopping center also currently houses a U.S. Post Office, bank, CVS Pharmacy, hardware store and chain restaurants. Bunker Hill Community College and its Community College orange line MBTA stop are located just beyond the shopping center. The armory sits directly on an MBTA bus route with a bus stop in front of the building. For more details on the Charlestown neighborhood, please consult www.cityofboston.gov/neighborhoods/charlestown.asp.



MARKET CONDITIONS

Since the community has expressed a strong preference for redevelopment of this property for ownership (condominium) housing, the City had the property appraised based on its development potential for condominiums. The following information comes from that appraisal. The condominium market in Charlestown is currently experiencing healthy increases in demand and activity. According to the Warren Group, condo appreciation is up 18.78% from January 2012 to January 2013, with an average sales price of \$515,069 or \$492/per square foot and a median price of \$535,669 or \$470 per square foot. Days on the market for condominiums have decreased from an average of 78 days for the fourth quarter of 2011 to 60 days for the fourth quarter of 2012.

Residential deeded parking spaces sold in Charlestown in 2012, according to March 2013 data from LINK, had an average sales price of \$59,500. Additionally, LINK data from the 4th quarter of 2012 indicates that the time on the market reached a three year low in December 2012. These figures suggest a market trending towards additional price appreciation with steady demand and at present, a decreased supply of property on the market.

3. Property Title

DND commissioned a survey of the property in the fall of 2012. The survey and a title search revealed that the original assembling of the property involved three separate land takings by the Commonwealth of Massachusetts. When the Commonwealth deeded the property to the BPL, the property deeded did not account for two of the takings. As a result, there are several land strips on borders of the property that are still owned by the Commonwealth (see Appendix 5 – Property Survey). To clarify this, DND has recorded a new plot plan at Suffolk County Registry of Deeds (Book 2013, Page 89). DND is offering only the property currently owned by DND, but not any of the strips still owned by the Commonwealth. **Proposals must be based on the development of only this property, and must not be contingent on the acquisition of the parcels currently owned by the Commonwealth.** DND is engaged in a parallel process to acquire these parcels but makes no representations about its ability to complete that acquisition.

In addition there are some encroachments from abutting property owners on the property (see Appendix 5 – Property Survey). DND will work with the designated developer to address these issues in a manner that is reasonable for all parties involved prior to the Final Conveyance of the property.

While DND has conducted a title examination of the property, DND makes no warranty or representation as its accuracy and recommends that developers conduct their own title examinations.

4. Price

The minimum offer price for the property is set at 90% of the current appraised value of \$2,800,000. Offers for less than \$2,520,000 will be deemed non-responsive and will be disqualified from further consideration.

DND is offering the property in this RFP in “as is” condition. All utilities, infrastructure and site improvements and access improvements will be the responsibility of the developer. DND does not represent that there are any existing utilities at the site and it is the responsibility of the developer to improve the site conditions. The developer is responsible for testing and remediating any hazardous or contaminated environmental conditions. To facilitate the developer’s assessment of these potential costs, a summary of the environmental assessment conducted by the Boston Redevelopment Authority (BRA) in 2005 is provided in Appendix 6 of this RFP.

5. Proposal Submission Deadline

Proposals must be received by May 23, 2013 by 4:00 p.m. and in accordance with the standards described in Section 9 of this RFP.

6. Development Objectives

In cooperation with area residents, DND has established the following development objectives for this property. A developer must address each of the following considerations as articulated by the community, in a development concept narrative, construction description narrative and design documents submitted:

HISTORIC PRESERVATION

- Developers must agree to redevelop the site in a manner that is contextual with the neighborhood and historic significance of the property. While the property is not formally designated as an Historic Landmark, proposals should provide for the preservation of the key architectural features of the building envelope
- The name “Charlestown Battalion Armory” must be maintained, along with any historically significant signage or plaques contained in the building. In addition, the community has expressed a desire for the incorporation of an exhibit or memorial in the building to attest to the significance of the military companies and individuals once occupying this space and their role in the United States of America, as well as the Charlestown community.

LAND USE

- The preferred use is for owner occupied condominiums. Limited commercial uses for a part of the property are acceptable provided that the proposed uses have limited noise and traffic impacts and do not adversely affect the quality of life of the immediate abutters.
- The proposed development should include a reasonable number of family-sized units of three or more bedrooms in the residential unit mix.
- The proposed development should include no subsidies from DND. Affordable units should be limited to the requirements of the Inclusionary Development Policy (see Section 7 below).
- The proposed development must clearly demonstrate that it is providing adequate on-site parking for all residents and that it will not generate additional demand for street parking. The community has indicated that providing two spaces per residential unit will meet this standard, and any proposal that does not meet this standard will need to otherwise prove that it meets the standard of “providing adequate on-site parking for all residents”.

DESIGN

- The design should seek to preserve the structural integrity, decorative historic elements, basic roofline and footprint of the Armory.
- Any new construction elements or exterior changes to the existing building should be contextual with the existing neighborhood in terms of height, scale, massing, construction materials and visual appearance.
- Designs that exhibit superior energy-efficiency, low carbon emissions and utilize green construction technologies are preferred. Proposals that conform to United States Green Building Council’s “Leadership in Energy and Environmental Design” (LEED) Silver certification standard are encouraged.
- The design should minimize any increase in traffic, particularly as it impacts direct abutters.
- The design must also provide for the stabilization and reinforcement of the retaining walls on the Auburn Street border of the site.
- The design should not include any excavation activities that could undermine the structural integrity of the foundations of abutting properties
- The design must appropriately address any drainage issues that it creates that impact abutters
- The design should provide adequate buffering for the abutters including well-designed green space where appropriate.

CONSTRUCTION

- The construction plan must demonstrate how it will mitigate construction impacts on abutters during the construction period and the developer must have the capacity to complete the development quickly and efficiently to minimize disruption to abutters.
- The construction plan should be cognizant of the building’s former military use and be able to safely address potential environmental hazards present, including but not limited to, asbestos in the boiler room, lead paint in various areas, and above ground oil tanks located in an exterior vault.

7. Affordable Housing Requirement

Pursuant to the Mayor's Executive Order relative to Inclusionary Development, any development resulting from the disposition of property owned by the City of Boston that has ten or more units is subject to the City's Inclusionary Development Policy. This policy requires that any such covered development set aside 15% of the market rate units as affordable units. At least 50% of the affordable ownership units must be affordable to households earning no more than 80% of the Area Median Income for Boston Standard Metropolitan Statistical Area (SMSA), with the remaining affordable ownership units being affordable to households earning less than 100% of the Area Median Income. All affordable rental units must be affordable to households with incomes under 70% of the Area Median Income.

The design, quality and materials of the affordable housing units must be indistinguishable from the base market rate units. Plans shall demonstrate that affordable units are proportional in size to market rate units, with a preference for larger units suitable for families. The affordable units must be distributed throughout the building and not all situated in one particular location.

8. Developer Selection Process

Proposals will be reviewed and selected using a 3-part process. First, proposals must meet the City's Minimum Eligibility Criteria as described below. Proposals that meet these standards will then be reviewed based the Evaluation Criteria. Prior to designation by the Public Facilities Commission, the selected developer will be subject to a final set of Additional Reviews to determine compliance with various City regulations, ordinances and policies.

MINIMUM ELIGIBILITY CRITERIA

Minimum Eligibility Criteria:

1. **Proposal Received by Deadline.** Only proposals that are received by the date and time and at the location described in Section 9 of this RFP will be accepted
2. **Complete Proposal Submission.** Proposals must be complete including all necessary forms, signatures and certifications and be notarized where indicated.
3. **Minimum Offer Price.** Only proposals that have an offer price equal to or greater than the Minimum Offer Price will be accepted.
4. **Proposal Cover Documents.** The proposal must provide the following four Proposal Cover Documents:
 - Development Team Letter of Interest that describes the entire development team and its relevant experience, including, as applicable, the developer, the architect, general contractor, lead project manager, proposed future owner, and any other consultants necessary to complete the project,
 - Proposal Cover Form (Appendix 1) describing the legal status of the Proposer
 - Proposal Summary Form (Appendix 2)
 - Digital Drawings that provide renderings, site plans and preliminary floorplans in electronic format (on CD or flash drive) that are sufficient for community residents to evaluate the design aspects of your proposal.

EVALUATION CRITERIA

All proposals that meet the Minimum Eligibility Criteria described above will then be evaluated on the Evaluation Criteria described below. The Selection Committee shall then assign a composite rating for each proposal it evaluates. The most advantageous proposal from a responsive and responsible proposer, taking into consideration all evaluation criteria, will be selected.

All forms, disclosures and certifications required for DND's evaluation of the Evaluation Criteria are included in Appendix 3 of this Request For Proposals.

There are 8 Evaluation Criteria:

1. **Offer Price.** This will be evaluated based on the offer price relative to all other qualified offers received.

2. **Development Concept.** This will be evaluated based on how well the proposal meets the Development Objectives set out in Section 6.
3. **Developer Experience and Capacity.** This will be evaluated based on the developer's relative experience in executing residential and mixed-use development of this scale with special emphasis on the developer's experience in the adaptive reuse of historic buildings into housing or residential/commercial uses.
4. **Financial Feasibility.** This will be evaluated based on the relative strength of the Development Proforma where projected expenses, including all environmental remediation expenses, are reasonable for this the type of construction and revenues are reasonable for the local market, and where the proposed financing plan appears feasible.
5. **Financial Capacity.** This will be evaluated based on the relative strength of the developer's ability to secure, in a timely manner, all of the financing stated in their Development Proforma.
6. **Design.** This will be evaluated based on the strength of the design plan to achieve the Design Objectives described in Section 6 of the RFP relative to the design plans of other qualified proposals.
7. **Development Schedule.** This will be evaluated based on the developer's proposed Development Timetable relative to other proposals. The length of time from developer selection through construction completion will be an important evaluation factor. Since this is a densely populated location with a large number of direct abutters, minimizing the amount of time that the site is an active construction site (from permit issuance through completion) will also be an important evaluation factor.
8. **Construction Impact Mitigation.** This will be evaluated based on the developer's proposed Construction Impact Mitigation Plan relative to the plans of other Proposers. DND will be looking for Plans that best limit the noise impacts, traffic/parking impacts and inconvenience to area residents during the construction period.

To facilitate the City's evaluation of some criteria, the City may require that developers make a presentation to the community. Where a developer is asked to make such a presentation, DND will allow the developer to submit new or better drawings to facilitate that presentation provided that the drawings only clarify the proposed structures as originally submitted. DND will also require that some drawings be made available in digital format so that they may be more easily made available to the public.

ADDITIONAL REVIEWS

Prior to bringing the selected developer to the Public Facilities Commission for a Tentative Developer Designation Vote, the following additional reviews will be conducted to ensure that the development team is compliant with various City of Boston policies and regulations:

1. **Employee Eligibility**
2. **Obligations to The City**
3. **Housing Code Compliance**
4. **DND Program Participation Compliance**
5. **Fair Housing**
6. **Arson Prevention**

All forms, disclosures and certifications required for DND's execution of these Additional Reviews are included in Appendix 4 of this Request For Proposals.

9. Proposal Submission Instructions and Checklist

Formally Obtaining A Request For Proposals. The RFP package will be available at the Department of Neighborhood Development, Bid Counter, 26 Court Street, 10th Floor, Boston, MA 02108 or you can download an RFP by registering at <http://www.cityofboston.gov/dnd/rfp>

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

CHECKLIST OF DOCUMENTS NEEDED FOR A COMPLETE PROPOSAL

Proposal Cover Documents:

- Development Team Letter of Interest
- Proposal Cover Form (Appendix 1)
- Proposal Summary Sheet (Appendix 2)
- Digital Drawings

Evaluation Criteria Documentation (see Appendix 3 for instructions and forms)

- Evaluation Criteria Form 1: *Offer Price*
- Development Plan
- Developer Experience Narrative
- Development Proforma
- Evidence of Financing Statement
- Design & Site Plans
- Development Timetable
- Construction Impact Mitigation Plan

Additional Review Documentation (see Appendix 4 for instructions and forms)

- Additional Review Form 1: *Property Affidavit*
- Additional Review Form 2: *Affidavit of Eligibility & Chapter 803 Disclosure Statement*
- Additional Review Form 3: *Beneficial Interest Statement*

Proposal Submission Requirements. Applicants must place the following information on a sealed envelope containing the proposal:

Department of Neighborhood Development:

Charlestown Battalion Armory

The submission due date of May 23, 2013 by 4:00 p.m.

Applicant's name and address

PROPOSALS WITHOUT SUFFICIENT IDENTIFICATION WILL BE REJECTED.

Due Date. Applicants must submit an **original and three (3) copies** of the proposal in the sealed envelope to the Bid Counter either in person or by mail before:

4:00 pm on May 23, 2013.

Any proposals received after the date and time specified in this RFP will be rejected as non-responsive, and not considered for evaluation. The Bid Counter is located at:

The City of Boston
Department of Neighborhood Development
The Bid Counter
26 Court Street, 10th Floor
Boston, MA 02108

Bid Counter hours are Monday—Friday from 9:00 AM - 12:00 Noon and 1:00 PM - 4:00 PM. The Bid counter is closed Monday through Friday from 12 Noon to 1:00 P.M. and after 4 P.M. Please plan accordingly as late proposals cannot be accepted for any reason and DND apologizes for any inconvenience this may cause.

WITHDRAWAL OF PROPOSALS

Prior to the date and time for opening of proposals, an applicant may correct, modify or withdraw his/her proposal only by written notice to the City of Boston at:

The City of Boston
Department of Neighborhood Development
26 Court St, Boston, Massachusetts 02108
Attention: Reay Pannesi

Property Viewings. A viewing of the property for prospective bidders will be held on the following dates:

Friday April 19 2013 from 10:00 am to 1:00 pm
Friday April 26, 2013 from 10:00 am to 1:00 pm
Friday May 3, 2013 from 10:00 am to 1:00 pm

All persons viewing the property must first sign in with the DND staff person at the Bunker Hill Street entrance to the property prior to entering the property. DND strongly suggests that each person viewing the armory bring their own flashlight and wear suitable clothing as not all parts of the structure are well-lit and there may be debris in some areas. While there is limited parking accessible from the Armory Street entrance to the property, bidders are advised to seek alternate parking arrangements. The property is easily accessible by public transportation with the Sullivan Square Orange Line MBTA station located only 0.7 miles from the property.

Building Drawings. To facilitate in the preparation of their proposals, DND has requested a set of drawings of the property through the State Archives. Upon receipt, DND will make these drawings available for downloading at the same online location as this RFP: <http://www.cityofboston.gov/dnd/rfp/>. DND makes no representations as to the completeness or accuracy of these drawings.

Questions. Questions regarding this RFP should be directed in writing to the Project Manager, Reay Pannesi, via facsimile at (617) 635-0282 or by email to rpannesi.dnd@cityofboston.gov no later than Thursday, May 17, 2013 by 4:00 p.m. DND will post on-line answers to all pertinent questions at <http://www.cityofboston.gov/dnd/rfp/>.

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

10. City Of Boston Real Estate Disposition Terms and Conditions

APPLICANT'S RESPONSIBILITY FOR PROPOSAL PREPARATION

The City accepts no financial responsibility for costs incurred by applicants in responding to this Request for Proposals. Proposals will become the property of the City. Applicants are responsible for any and all risks and costs incurred in order to provide the City with the required submission. After opening, all proposals are public documents and are subject to the requirements of the Massachusetts public records law (G.L. c. 4, § 7(26)).

TERMS OF SALE

After a proposal has been selected, the selected developer will be contacted by the City to negotiate the terms of the sale. The terms of the sale must be consistent with this Request for Proposal, including the required purchase price and the development required. The use of the property will be restricted to that which is proposed in the selected proposal.

The terms of the sale will require the selected developer to abide by equal opportunity and fair housing laws and not to discriminate or permit discrimination, upon the basis of race, color, religious creed, marital status, sex, age, ancestry, sexual orientation, military status, disability, national origin, source of income, or the presence of children, in the sale and/or rental of the property.

The selected developer must execute a Purchase and Sales Agreement with the City of Boston. DND encourages the selected developer to retain appropriate legal counsel to work with DND's legal staff to complete the sale. Selected developers must close on the sale within ninety (90) days of the execution of the Purchase and Sales Agreement, unless otherwise agreed upon. At closing, the selected developer may be required to sign a DND mortgage/covenant to secure his/her obligations to DND under this conveyance. Failure to comply with these obligations will result in foreclosure on the mortgage. Buyers cannot assign their rights under this agreement without prior written approval of the Director of the Department of Neighborhood Development.

CONVEYANCE

DND's Legal Staff will prepare all necessary conveyance documents. DND will convey the property in 'AS IS CONDITION' without warranty or representation as to the Status or Quality of Title. Final

conveyance of each property will be contingent on the buyer's ability to demonstrate that all necessary financing and permits are in place and construction can commence forthwith. Applicants are hereby informed that in the event the City/DND has erected a temporary fence upon the property, the City/DND reserves the right, in its sole discretion, to remove the fence at any time prior to conveyance of the property offered pursuant to this RFP. The City/DND shall not, however, be obligated to do so. Any and all site improvements such as utility connections or street work are the responsibility of the builder. The buyer shall, to the fullest extent permitted by law, assume any and all liability for environmental remediation pursuant to Chapter 21E of the Massachusetts General Laws.

PAYMENT POLICY

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

NEGOTIATIONS

The City reserves the right to negotiate changes in the selected proposal. These negotiations may encompass values described in the Request for Proposal, as well as values and items identified during the Request for Proposal and negotiation process. On the basis of these negotiations, the City may decline to sell the property even after the selection as the proposed developer and having entered into the negotiations described in this paragraph.

CHANGES TO DEVELOPMENT PROGRAM

DND reserves the right to change aspects of the development program outlined in this RFP depending on the needs of the development, providing that the rights of other applicants are not prejudiced and DND uses its best judgment to further our mission after accepting developer's application.

THE BOSTON JOBS AND LIVING WAGE ORDINANCE

If you are a for-profit firm with 25 or more full time employees, or a non-profit firm with 100 or more employees, and you are a direct recipient ("Beneficiary") of at least One Hundred Thousand Dollars (\$100,000.00) of assistance, you will be required to make best efforts to adhere to the Boston Jobs and Living Wage Ordinance, and the provisions of the Promulgated Regulations, including the "First Source Hiring Agreement" provisions of said Ordinance. Assistance is defined as any grant, loan, tax incentive, bond financing, subsidy, debt forgiveness, or other form of assistance of One Hundred Thousand Dollars (\$100,000.00) 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.

EQUAL OPPORTUNITY HOUSING

The City administers its programs in accordance with federal, state and local equal opportunity and fair housing laws, regulations and requirements. This includes affirmatively furthering fair housing and providing equal access to information about development opportunities. Pursuant to this policy, developers of 5 or more units for sale or rent will be required to have an Affirmative Marketing Plan approved by the Boston Fair Housing Commission.

CITY'S RESERVATION OF RIGHTS

The City reserves the right to postpone or withdraw this RFP; to accept or reject any and all proposals; to modify or amend the terms of this RFP through an addendum; to waive any informality, and to interview, question and/or hold discussions regarding the terms of any proposal received in response to this RFP. The City reserves the right to cancel a sale for any reason. The City reserves the right to select the next highest ranked proposal if the highest ranked proposal is unable to proceed in a timely manner or otherwise fails to satisfactorily perform. DND reserves the right to waive any requirement or restriction set forth in this RFP or conveyance documents, if such waiver is deemed appropriate by DND, in its sole discretion

**END OF CHARLESTOWN BATTALION ARMORY REQUEST FOR PROPOSALS.
DND THANKS YOU FOR YOUR INTEREST**

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

APPENDIX 1
PROPOSAL COVER FORM (Page 1 of 2)

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

DATE RECEIVED BY DND: _____

SUBMITTED BY: _____

Name

Address

Telephone

Email

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

The Charlestown Battalion Armory

For this proposal to be properly evaluated all questions must be answered by the Proposer. The Awarding Authority (the Department of Neighborhood Development) will regard all responses to questions and all submissions as accurate portrayals of the Proposer's qualifications and any discrepancy between these statements and any subsequent investigation may result in the proposal being rejected. The name(s) and address (es) of all persons participating in this application as principals other than the undersigned are:

Name

Address

Name

Address

Name

Address

Name

Address

Use separate sheet and attach if additional principals are involved.

The applicant is a/an:

(Individual/Partnership/Joint Venture/Corporation Trust, etc.)

If applicant is a Partnership, state name and residential address of both general and limited partners:

Name

Address

Name

Address

Name

Address

If applicant is a Corporation, state the following:

State of Incorporation

Place of Business

President

Treasurer

PROPOSAL COVER FORM (Page 2 of 2)

If applicant is a Joint Venture, state the names and business addresses of each person, firm or company that is a party to the joint venture:

Name	Address
Name	Address
Name	Address

A copy of the joint venture agreement is on file at: _____ and will be delivered to the Official on request.

If applicant is a Trust, state the name and residential address of all Trustees and beneficiaries as:

Name	Address
Name	Address
Name	Address

Trust documents are on file at _____ and will be delivered to the Official on request.

If business is conducted under any title other than the real name of the owner, state the time when, and place where, the certificate required by General Laws, c.110, §5 was filed:

Date of Filing	Filing Place
----------------	--------------

Number of years organization has been in business under current name: _____

Has organization ever failed to perform any contract? YES NO

If YES, state circumstances here

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

Signature of individual submitting proposal

Title

Legal Name of Organization

Date

APPENDIX 2

INSTRUCTIONS & FORMS: PROPOSAL SUMMARY & DIGITAL DRAWINGS

Proposal Summary

Complete the Proposal Summary Form (page 15) in the space provided. These are all elements that have been identified by the community as important components of any proposal. If you are selected as a finalist, this document may be provided, unaltered, to community residents to assist in their assessment of your proposed development. Be sure your submission is sufficiently clear and concise to achieve that purpose. The following information is requested:

Price. List your offer price as specified Comparative Evaluation Criteria Form 1

Developer Experience & Capacity. Summarize the development team's relevant experience that demonstrates its capacity to complete the project successfully and in a timely manner.

Financial Feasibility: indicate how much the project will cost, the key sources of financing, and how much of that financing is in the form of equity coming from the development team.

Development Concept: Historic Preservation. Summarize the key historic preservation elements to your proposal.

Development Concept: Housing. Indicate how many new housing units are posed for the site with a breakdown by tenure (owner/coop) and number of bedrooms. Indicate if there are any specific target populations envisioned (e.g. seniors, wheelchair accessible, affordable units).

Development Concept: Commercial Space. Describe how much of the property will be for commercial uses, where these uses will be located, and type of commercial uses envisioned.

Development Concept: Offstreet Parking & Traffic. Indicate how many offstreet parking spaces will be provided and how this ensures offstreet parking for all residents. Highlight any traffic impact mitigation efforts you propose.

Development Concept: Green Building Elements: summarize key green building elements such as green materials and construction techniques and/or LEED energy efficiency ratings.

Development Concept: Abutter Impact Mitigation: summarize key actions you will take to minimize impacts on abutters, especially during construction.

Development Schedule: summarize how long you expect to take from the time you are selected as developer to construction start, and then how long the construction period is expected to last.

Digital Drawings

In addition, you must provide in digital format (one copy on either on a CD or a flash drive) copies of some of your drawings including rendering(s), site plan(s) and preliminary floorplan(s) that will also be available to the public to assist in their assessment of your proposal.

Proposal Evaluation Process

The Proposal Summary Form and the Digital Drawings are requested solely for the purposes of facilitating public comment on proposed development options. DND's comparative evaluation of proposals and ultimate developer selection decision will be based on the criteria specified in Section 8 of this RFP using the information provided in accordance the Comparative Evaluation instructions listed in Appendix 3 of this RFP.

APPENDIX 2 PROPOSAL SUMMARY FORM

Name of Proposer: _____

Instructions for completing this form are on Page 14 of this RFP

Offer Price	
Developer Experience & Capacity	
Financial Feasibility	
Development Concept: Historic Preservation	
Development Concept: Housing	
Development Concept: Commercial Space	
Development Concept: Offstreet Parking & Traffic	
Development Concept: Green Building Elements	
Development Concept: Construction Impact Mitigation	
Development Schedule	

APPENDIX 3 INSTRUCTIONS, FORMS AND DOCUMENTS FOR COMPARATIVE EVALUATION CRITERIA

Offer Price

Complete, sign and date Comparative Evaluation Criteria Form 1, *Offer Price*

Development Concept.

On a document that is clearly labeled "Development Plan" provide a complete narrative description of the proposed development of the property including all planned residential and commercial uses, historic preservation elements, provisions for on-site parking for residents, and any other elements that you determine are relevant to evaluating the proposed development against the community's development objectives described in Section 6 of this RFP.

Developer Experience and Capacity.

On a document that is clearly labeled "Developer Experience" along with the Proposer's name, indicate your relevant experience in residential and mixed use development of the recent past (within ten years). If you have experience with the adaptive reuse of non-residential properties into housing be sure to fully describe this experience. If you have experience in the historic preservation of larger properties, be sure to fully describe that experience.

Also provide resumes of the principal parties in your development team including the developer, contractor, architect and any key consulting entities.

Financial Feasibility.

On a document that is clearly labeled "Development Proforma" along with the Proposer's name, provide a complete preliminary development proforma that shows all sources and uses of funds for all aspects of your proposed development. If DND determines that your Development Proforma is not sufficiently detailed to fairly evaluate your proposal, you will be requested to resubmit this document in more detailed form or be disqualified from further consideration.

You are encouraged to provide supporting documents that demonstrate the feasibility of your plan. For example, broker's price opinions to document your proposed sales prices, or as-completed development budgets for one or more of the most comparable projects you listed as evidence of Developer Experience above would be suitable supporting documentation. Provide this information on a separate sheet labeled "Financial Feasibility Supporting Information" that is also clearly labeled with the Proposer's name.

Financial Capacity

On a document that is clearly labeled "Evidence Of Financing Statement" along with the Proposer's name, provide reasonable evidence (e.g. bank statements, lines of credit statement, lender agreements) that you will be able to access the funding sources as listed in your Development Proforma. Ensure that you clearly identify how much equity you and your development team is investing as this is a significant factor in assessing financial capacity. Developers should understand that if you are selected as developer, DND will require verification of these funding sources prior to proceeding to a Tentative Developer Designation vote.

Design.

On a document that is clearly labeled "Draft Design Plan" along with the Proposer's name, provide preliminary architectural drawings including 1) draft floor plans, and 2) elevations and renderings of the development as it will look from *all four sides*. These drawings do not need to be final, but must be sufficient for the City and neighborhood residents, especially abutting residents, to reasonably assess the visual and spatial impact of your proposed development.

On a document that is clearly labeled "Draft Site Plan" along with the Proposer's name, provide a site plan showing all proposed structures, roads, retaining walls, and green spaces. Clearly indicate all landscape elements (e.g. yards, gardens, trees and plantings, visual buffering for abutters).

Prior to final selection of a developer, DND may require developers to make a presentation to the local community. Where a developer is asked to make such a presentation, DND will allow the developer to

submit new or better drawings to facilitate that presentation provided that the drawings only clarify the proposed structures as originally submitted.

Development Schedule

On a document that is clearly labeled “Development Timetable” along with the Proposer’s name, provide a complete timetable starting at the time of developer designation by DND through the completion of construction. Be sure to include the milestones showing when construction begins (including site prep and interior demolition) and when it will end as this is a key concern for abutting residents. You will also need to account for processing any required variances through the Zoning Board of Appeals and the Article 80 requirements of the Boston Zoning Code. If DND determines that your Development Timetable is not sufficiently detailed to fairly evaluate your proposal, you will be requested to resubmit this document in more detailed form or be disqualified from further consideration.

Construction Impact Mitigation Plan

On a document that is clearly labeled “Construction Impact Mitigation Plan” along with the Proposer’s name, enumerate any special efforts you will undertake to minimize the disruption of, and inconvenience to, area residents, particularly abutting residents, during the construction period.

EVALUATION CRITERIA FORM 1

OFFER PRICE

Applicants are instructed to provide their offer price for the property. Include your name, address, and signature. Failure to offer at least the minimum offer price of \$2,520,000 shall result in disqualification of the proposal. An offer price that includes any conditions or restrictions is prohibited and shall be disqualified.

Special instruction for religious organizations. In accordance with the Amendments to the Massachusetts Constitution, religious organizations must pay 100% of the appraised value for a property as established by a qualified appraiser. If an applicant fails to comply with this pricing requirement, the proposal shall be disqualified.

OFFER PRICE FOR 374-398 BUNKER HILL STREET, CHARLESTOWN (Assessor Parcel #0201186000):

\$ _____

Name of Proposer: _____

Address of Proposer: _____

Signature of Proposer: _____

APPENDIX 4 ADDITIONAL REVIEWS

These standards reflect a number of City policies that govern all property dispositions. All Proposers are subject to the following reviews and must satisfy the following requirements prior to conveyance. In the event that they do not satisfy these requirements the City will proceed to the next highest ranked eligible proposal.

Tax Delinquency Review

The City of Boston's Office of the Collector-Treasurers Office will conduct a review of the Proposers 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 conveyance of the Site. Any selected Proposer who has been foreclosed upon by the City of Boston for failure to pay property taxes will be deemed ineligible for conveyance of the Site/Property offered pursuant to this Request for Proposals unless such Proposer promptly causes the Decree(s) or Judgment(s) of Foreclosure to be vacated by the Land Court and the City made whole. The City, in its sole discretion shall determine the timeliness of Proposer's corrective action in this regard and will disqualify the Proposer if the vacating of the tax-title foreclosure is not prosecuted expeditiously and in good faith, so as to avoid undue delay of the development of the Site/Property.

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 conveyance of the Site.

DND Prior Participation Review/Outstanding Obligations

The City will review the Proposer's prior participation in any City of Boston programs, including DND programs, to ascertain his/her historic performance with City programs. Proposers not fulfilling requirements under a current or past agreement will be excluded from consideration in this RFP. Proposers must be current with all monies owed to DND and the City of Boston in order to contract for and close on conveyance of the Site.

Property Portfolio Review

The City will review the Proposer's portfolio of property owned to ascertain whether there has/have been abandonment, Inspectional Services Department (ISD) code violations or substantial disrepair. If unacceptable conditions exist in the Proposer's property portfolio, DND may deem the Proposer(s) ineligible for participation in this RFP.

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. 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.

Equal Opportunity Housing

The City administers its programs in accordance with federal, state and local equal opportunity and fair housing laws, regulations and requirements. This includes affirmatively furthering fair housing and providing equal access to information about development opportunities. The Boston Fair Housing Commission will screen applicants for the property offered pursuant to this RFP. Proposers must not have any unresolved housing discrimination complaints or convictions for violating fair housing laws.

DND will disqualify any proposals that fail to comply with any of these Additional Reviews. To document that the Proposer meets the Additional Review standards, complete, and where appropriate, sign and notarize the following Forms:

1. Property Affidavit
2. Affidavit of Eligibility, Chapter 803 Disclosure
3. Beneficial Interest Statement

ADDITIONAL REVIEW FORM 1

City of Boston – Department of Neighborhood Development Property Affidavit

Instructions: List all City of Boston properties currently owned, or previously foreclosed upon for failure to pay real estate taxes or other indebtedness, by the applicant or by any other legal entity in which the applicant has had or now has an ownership or beneficial interest. For any additional properties that do not fit on this form, attach a spreadsheet. (Do not use another loops form. Only one signature page should be submitted.) **Entries in this form should be typewritten.**

Applicant: _____

List Addresses of Boston Properties Owned:	WARD	PARCEL	SUB-PARCEL
_____	___	_____	_____
_____	___	_____	_____
_____	___	_____	_____
_____	___	_____	_____
(Additional properties are identified on attached spreadsheet.)			
Boston Properties Previously Foreclosed Upon by COB:			
_____	___	_____	_____
_____	___	_____	_____
_____	___	_____	_____

I declare under penalties of perjury that the foregoing representations are true, accurate, and complete and correct in all respects.

Print Name _____ Authorized Representative's Signature _____ Date _____

Applicant Contact (if different from above) _____ Telephone Number _____

OFFICIAL USE ONLY: Delinquency Reported (If Y Include Amount):

Boston Water & Sewer Commission Y\$ _____ N

Signature & Date: _____

Notes: _____

Dept. of Neighborhood Development Y\$ _____ N

Signature & Date: _____

Notes: _____

Inspectional Services Department Y\$ _____ N

Signature & Date: _____

Notes: _____

Treasury Department Y\$ _____ N

Signature & Date: _____

Notes: _____

DND Contact, Division, & Project _____

ADDITIONAL REVIEW FORM 2

AFFIDAVIT OF ELIGIBILITY

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

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

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

Applicant Signature

Co-Applicant Signature (If Applicable)

CHAPTER 803 DISCLOSURE STATEMENT

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

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

Applicant Signature

Co-Applicant Signature (If Applicable)

ADDITIONAL REVIEW FORM 3
BENEFICIAL INTEREST STATEMENT

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

374-398 BUNKER HILL STREET, CHARLESTOWN (Assessor Parcel #0201186000)

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 addresses of all persons who have or have a direct or indirect beneficial interest in said property.

(Please print names and addresses of applicant and all co-applicants)

NAME	ADDRESS
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

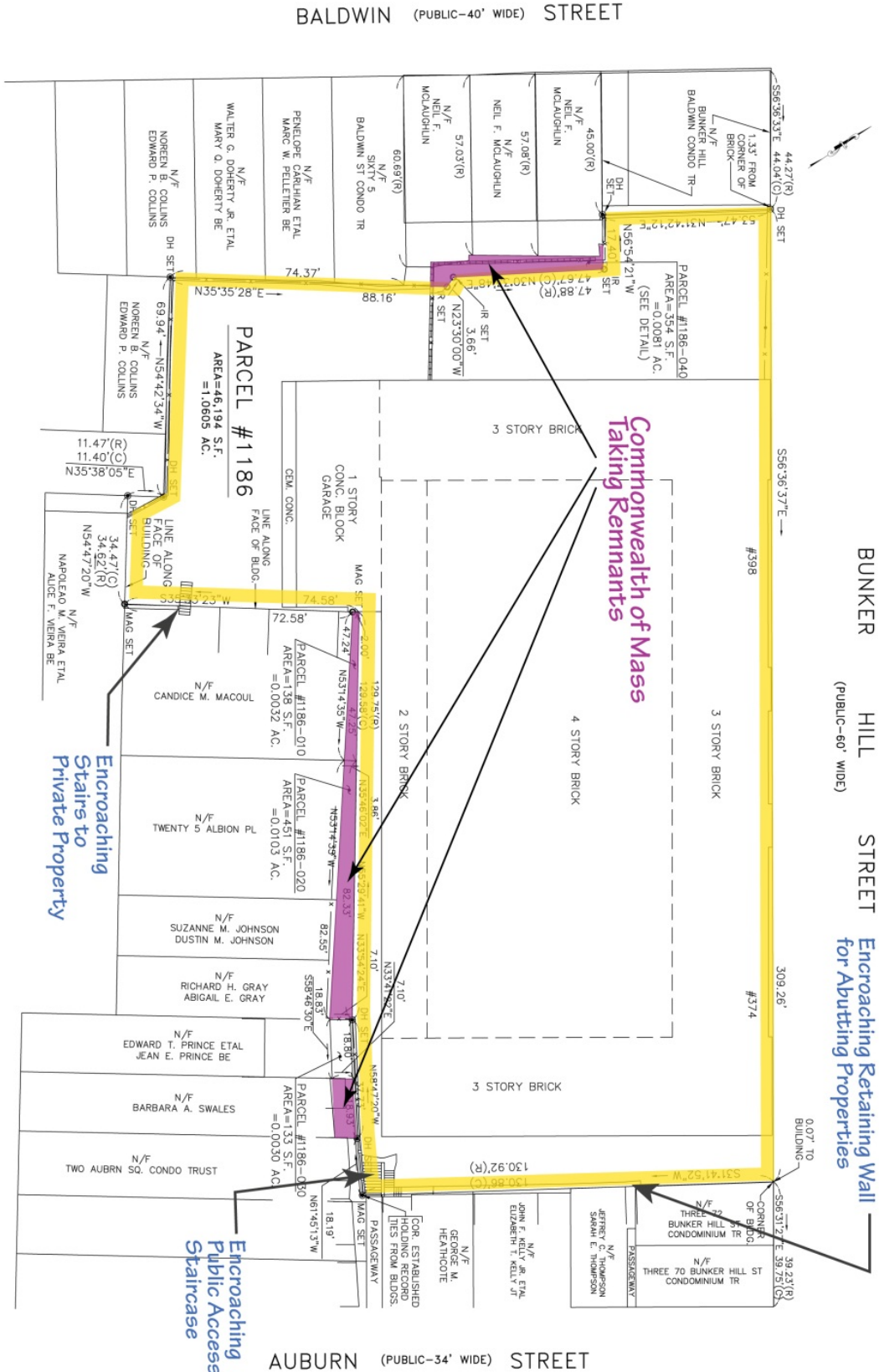
This statement is made under the pains and penalties of perjury this _____ day
of _____, _____
Month Year

Applicant Signature

Co-Applicant Signature (If Applicable)

APPENDIX 5 PROPERTY SURVEY INFORMATION

This information is provided only for the convenience of applicants in preparing their proposals. This Survey was completed in September 2012. DND makes no representations as to the accuracy of this information.



AUBURN (PUBLIC-34' WIDE) STREET

APPENDIX 6

2005 PREMININARY ENVIRONMENTAL ASSESSMENT SUMMARY

This information is provided only for the convenience of applicants in preparing their proposals. This Assessment was conducted in in 2005, and conditions may have changed since that time, and further investigation may reveal previously unrecognized conditions. DND makes no representations as to the completeness or accuracy of this information.



Engineers
Scientists
Consultants

October 3, 2005

Mr. Lawrence D. Mammoli - Deputy Director Capital Construction
Boston Redevelopment Authority
Boston's Planning and Economic Development Office
Boston Marine Industrial Park
22 Drydock Avenue, 2nd Floor
Boston, Massachusetts 02210

**Re: Summary of Screening Level Building Assessment
380 Bunker Hill Street
Charlestown, Massachusetts
ESS Project No. B364-000**

Dear Mr. Mammoli:

ESS Group, Inc. (ESS) is submitting this letter report (the Report) to the Boston Redevelopment Authority [(BRA) - the Client] which summarizes the findings of a screening level building assessment (the Study) completed at the former Charlestown Armory building located at 380 Bunker Hill Street in Charlestown, Massachusetts (the Site or subject Site). The Study was conducted in general accordance with the scope of work outlined in ESS' proposal to the Client, dated July 15, 2005. Refer to Attachment I herein for limitations associated with the Study.

BACKGROUND

ESS is of the understanding that the City of Boston intends to sell the Site and that the BRA will be preparing a Request for Proposal (RFP) for prospective purchasers of the Site. It is anticipated that the on-Site building will be renovated for multi-unit residential use. The BRA indicated that for preparation of the RFP, they would be interested in developing an understanding of potential environmental conditions associated with the Site, specifically the presence of asbestos containing materials (ACM), lead-based paint (LBP), and other general environmental conditions [i.e., oil and/or hazardous material (OHM) releases]. The activities completed by ESS and subconsultants to identify and document these aforementioned conditions are summarized below.

SCOPE OF WORK

Pursuant to ESS' proposal dated July 15, 2005, the following scope of work was completed for the Study:

- Performance of an inspection for suspect ACM in the accessible areas of the on-Site building.
- Performance of an inspection for LBP in the accessible areas of the on-Site building.
- A limited environmental review, including an inspection of the Site to identify and document potential conditions of environmental concern and an on-line environmental database search to identify state and federal sites (i.e. sites with known OHM releases/spills) located in the vicinity of the Site.

889 Worcester Street
Suite 240
Wellesley
Massachusetts
02482
p 781.431.0500
f 781.431.7434



www.essgroup.com

- Preparation of this Report documenting the scope and findings of the aforementioned activities.

It should be noted that the intent of this Study was not to complete a Phase I Environmental Site Assessment, pursuant to applicable American Society for Testing and Materials (ASTM) guidelines, or to complete comprehensive ACM and LBP surveys, but rather to develop a preliminary understanding of potential conditions of environmental concern at the Site and surrounding properties.

SITE LOCATION AND DESCRIPTION

The former Charlestown Armory building is located at 380 Bunker Hill Street in Charlestown, Massachusetts (the Site). The geographic location is approximately 42°22'56" latitude and 71°04'09" longitude at Universal Transverse Mercator (UTM) coordinates 329,648 mE and 4,694,063 mN. The building is a two-story brick structure containing a basement that covers an area of approximately 80,000 square feet (ft²). The building is currently used as a storage facility for the Boston Public Library. A large training space, current library stack storage area, is situated in the central portion of the building. Former offices and current storage space surrounds and overlooks the perimeter of the open training space. The building has both a slate and rubber membrane roof with possible built-up roofing material beneath. The interior of the building is composed of gypsum board walls (within offices), suspended acoustical tile ceilings (within offices), plaster walls and ceilings, vinyl flooring and plywood.

ASBESTOS CONTAINING MATERIALS (ACM) INSPECTION

On August 23, 2005, Axiom Partners, Inc. (AXIOM), a subconsultant to ESS, completed an inspection of the on-Site building for suspect ACM. A copy of AXIOM's ACM survey report (entitled "Hazardous Building Materials Survey Report", dated September 16, 2005) is presented in Attachment II herein. Qualifications of the AXIOM personnel who completed the inspection are also contained with the AXIOM report. The following is a summary of ACM identified by the inspection, including locations where ACM was identified in the building, the type of ACM, and approximate quantities of ACM.

Building Location	Type of ACM	Estimated Quantity
Throughout	9-inch x 9-inch Floor Tile	3,500 Square Feet (SF)
Sub-Basement, Main Level, First Floor, Second Floor	Thermal Systems Pipe & Pipe Fitting Insulation	1,500 Linear Feet (LF)
Sub-Basement (Boiler Room)	Boiler, Boiler Breech & Tank Installation	1,050 SF
Sub-Basement (Boiler Room)	Debris On Ground	50 SF
Throughout Exterior	Exterior Window Caulking	1,800 LF
Sub-Basement (Boiler Room)	Boiler Wall Sealant (Black)	350 SF
Roof	Cape Stone Sealant (Black)	1,000 LF



The following is a summary of materials sampled during the inspection that were determined not to contain asbestos (i.e., non-ACM).

Building Location	Non-Asbestos Containing Material
Throughout	Ceiling & Wall Plaster
Throughout	Skim Coat Plaster
Throughout	Interior & Exterior Window Glazing Compound (trace under 1%)
Throughout	Black Mastic (Associated with 9-inch x 9-inch Floor Tile)
Second Floor	Sheet Flooring & Associated Mastic
Roof	Flashing Sealant
First Floor – Stack Area	Paper Barrier (Under Wood Floor)

Based on the findings of the asbestos inspection, AXIOM presented the following conclusions and recommendations:

- (i) The mere presence of asbestos in the building does not mean that the health of building occupants is necessarily at risk.
- (ii) As long as the ACMs remain in good condition and are not disturbed, exposure is less likely. However, when building maintenance, repair, renovation, demolition or other activities disturb ACMs, or if ACMs are damaged, asbestos fibers are released creating a potential hazard to building occupants.
- (iii) Contractors and employees performing demolition, construction or renovation activities must be informed of the presence of ACMs if the activities may impact these materials.
- (iv) All ACMs should be removed by a Massachusetts-licensed Asbestos Contractor prior to demolition or renovation of the building.
- (v) Until they are removed, all ACMs should be managed according to governing regulations. All ACMs in the building should be included in a site-specific asbestos operations and maintenance (O&M) program designed at a minimum to comply with 29 CFR 1910.1001 and 1926.1101, incorporating the basic components outlined in the USEPA's "Guide to Managing Asbestos in Buildings".

LEAD-BASED PAINT (LBP) INSPECTION

On August 23, 2005, AXIOM completed an inspection for the presence of LBP within and on the on-Site building. A copy of AXIOM's LBP inspection report (entitled "Hazardous Building Materials Survey Report", dated September 16, 2005) is presented in Attachment II herein. Qualifications of the AXIOM personnel who completed the inspection are also contained with the AXIOM report.



Based on the testing performed by AXIOM on various painted components using an x-ray fluorescence (XRF) analyzer, several coatings were determined to contain concentrations of lead. The United States Department of Housing and Urban Development (HUD) lead paint standard classifies LBP as paint having ≥ 1.0 milligrams per cubic centimeter (mg/cm^2) as measured by an XRF analyzer. For purposes of renovation and/or demolition work, OSHA defines LBP as any paint containing detectable concentrations of lead.

The following table presents the general locations, color and concentrations of paint containing lead $\geq 1.0 \text{ mg}/\text{cm}^2$. All other painted surfaces tested using the XRF analyzer contain concentrations of lead below $1.0 \text{ mg}/\text{cm}^2$. Refer to the AXIOM report (Attachment II herein) for the complete list of XRF paint analysis results.

Quantity of Detections	General Sample Location(s)	Substrate Type	XRF Reading (mg/cm^2)	Paint Color
5	2nd Floor, Upper Wall	Plaster	7.0-10.0	Beige
4	2nd Floor, Upper Wall	Plaster	3.8-10.0	Light Green
3	1st Floor, Upper Wall	Plaster	5.1-10.0	Light Green
2	2nd Floor, Upper Wall	Plaster	10.0-11.0	Green
2	2nd Floor, Upper Wall	Plaster	9.8-11.0	Light Beige
2	2nd Floor, Upper Wall	Plaster	7.7-8.7	Yellow
1	1st Floor, Upper Wall	Plaster	10.0	Light Beige
1	2nd Floor, Lower Wall	Wood	1.2	Green
1	2nd Floor, Door Casing	Wood	1.0	Black
1	2nd Floor, Door Casing	Wood	1.7	Dark Beige
1	2nd Floor, Door	Wood	1.1	Black

Based on the findings of the LBP inspection, AXIOM presented the following conclusions and recommendations:

- (i) Testing performed on various painted components indicated that several of the coatings contain concentrations of lead. Based upon the XRF lead paint data, it appears that several types of paints are considered LBPs under HUD guidelines, namely wall paint throughout the building. Additionally, low levels of lead are present in other paints throughout the building. The condition of lead-containing paints observed during the inspection range from good to poor. Notwithstanding the final renovated use of the building, abatement of loose and flaking LBP is required.
- (ii) Lead abatement may be required depending on the future renovation and reuse of the building (e.g., conversion to rental units would require lead abatement whereas conversion to condominium units for private sale will not require lead abatement).
- (iii) Prior to performing renovations, contractors should be made aware of the presence of lead-based paint to satisfy the hazard communication requirements set forth by OSHA regulations. Specifically, contractors and subcontractors are required to comply with OSHA regulations including 29 CFR 1926.62, "Lead Exposure in Construction, Interim Final Rule" and 29 CFR 1926.59, "Hazard Communication for the Construction Industry".



SITE RECONNAISSANCE

On August 23, 2005, an ESS representative completed a Site reconnaissance to observe general features and conditions at and immediately surrounding the Site with particular focus on those areas which may indicate the likelihood of a hazardous substance or petroleum product release. The following is a summary of significant findings of the Site reconnaissance.

- (i) A steel-constructed UST¹ is installed in an underground concrete vault located adjacent to the west side of the building. The concrete vault is located beneath the parking lot and is accessible via two manholes located on top of the vault and from the boiler room located inside the building. Corrosion was observed on the exterior of the UST, particularly toward the lower portions, but no evidence was observed indicating that the structural integrity of the UST has been compromised. Fill and vent pipes and distribution lines plumbed to two large furnaces indicates that the UST was likely used for fuel oil storage. The UST likely has a capacity of approximately 3,000 to 5,000 gallons. The UST appeared to contain residual fuel oil (estimated at ~100 gallons). No apparent evidence was observed near the UST or attached piping that indicates a release of fuel oil has occurred. Being that this UST is currently out-of-service and considered abandoned, pursuant to 527 CMR 9.00 (Tanks and Containers), it should be properly closed/removed. The UST closure/removal should be performed in accordance with the Massachusetts Department of Environmental Protection (MADEP) UST Closure Assessment Manual (Policy No. WSC-402-96). Assessment of potential impacts to the subsurface from fuel oil releases may be required during the closure program. It should also be noted that the Boston Fire Department's Fire Prevention Division and Massachusetts' Department of Fire Services' UST Registry did not have any information on-file regarding this UST.
- (ii) No obvious evidence of hazardous substance or petroleum product release(s) were observed within the on-Site building or on the exterior grounds of the Site, with the following exception: (a) an area of oil staining and a small amount of oil was observed on the basement floor in a room formerly used for printing. Based on a conversation with the designated Site contact familiar with the history of the building and observations made by ESS, the oil staining likely resulted from lubrication of printing equipment which formerly resided in the area. No floor drains or other pathways to the subsurface were observed in the vicinity of the oil staining. Prior to building renovation and/or demolition activities, the oil should be removed by a licensed contractor and properly disposed of off-Site.
- (iii) Two floor drains were observed in another area of the basement. No suspicious staining was observed in the vicinity of the floor drains. The floor drains were inspected (visual/olfactory observations) for evidence of a release of OHM. No apparent evidence of an OHM release was observed in either of the floor drains. The discharge point of these floor drains is unknown. If the floor drains are determined to discharge directly to the subsurface, they would be subject to the requirements of the Massachusetts Underground Injection Control (UIC) Program and should be decommissioned pursuant to this Program. Decommissioning and closure activities typically include: (a) removal/excavation of the structures; (b) identifying, excavating, and managing any contaminated materials encountered during decommissioning (c) conducting confirmatory sampling at the footprint of the excavations; and (d) submitting the appropriate documentation to regulatory agencies (i.e., MADEP, local

¹ This tank is considered a UST because greater than 10% or more the tank volume and piping is buried below the ground surface.



- board of health and water department). Regardless of whether the floor drains discharge directly to the subsurface or are connected to the municipal sewer system, they will need to be properly decommissioned because they are no longer in-use.
- (iv) Several containers filled with various types of products (i.e., isopropyl alcohol, inks and toners) were observed in the basement. These containers and contents were likely used during previous printing activities at the Site. Since these products are not currently being used, they should be properly characterized and disposed of off-Site by a licensed contractor.
 - (v) Lighting fixtures which could be fluorescent were observed within the interior of the building. The fluorescent lighting may contain ballasts that are structures also known to be PCB-containing. Prior to any building demolition activities, these lighting fixtures should be appropriately removed and disposed of/recycled in accordance with local and state guidelines and policies.
 - (vi) Olfactory evidence of mold was detectable in the basement area. Further assessment of mold presence and appropriate abatement measures may need to be evaluated.

While not specifically associated with the Site reconnaissance, the Client should be advised that urban fill likely exists beneath/on the Site. Urban fill is commonly known to contain detectable levels of various types of OHM due to the presence of miscellaneous debris (i.e., coal, coal ash, asphalt, cinders, etc.). Future redevelopment activities must conform to applicable environmental regulations [e.g. the Massachusetts Contingency Plan (MCP) – 310 CMR 40.0000].

ENVIRONMENTAL DATABASE SEARCH

Using available computer database resources, specifically those provided by FirstSearch Technology Corporation (Firstsearch), various state and federal records and listings were researched on-line. In general, information generated from the on-line search helped to identify state and federal sites located in the vicinity of the subject Site. The database research included, but was not limited to, a review of the Federal Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS) List; the National Priorities List (NPL); the Resource Conservation and Recovery Act (RCRA) files; the MADEP listing on OHM spills, hazardous waste disposal sites, and leaking underground storage tanks (LUSTs); and the Massachusetts Department of Fire Service's listing of registered underground storage tanks (USTs).

The Environmental FirstSearch™ Report, a copy of which is presented in Attachment III herein, identified various properties within 0.25-mile of the subject Site that have known OHM impacts to soil and/or groundwater. Two of the off-Site state-listed sites of potential environmental concern include, (i) the property located at 436-472 Main Street, approximately 300 feet to the southwest of the Site, has been documented as having a release of chlorinated solvents to the subsurface; and (ii) the property located at 500 Rutherford Avenue, approximately 700 feet to the southwest of the Site, has been documented as having several releases of oil and hazardous material. Based on the information contained the Environmental FirstSearch™ Report and ESS' understanding of OHM migrations pathways and regional groundwater flow directions, there is the potential that OHM conditions on some of these off-Site state-listed sites could potentially pose a risk to environmental conditions on the subject Site (i.e., migration of OHM via groundwater flow from these off-Site properties toward the subject Site). Further evaluation of the known environmental conditions on some of the off-Site state-listed sites and their potential



to adversely impact the subject Site appears to be warranted. This can be performed by conducting a file review at the MADEP.

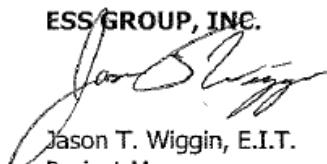
In an attempt to identify historic uses and/or conditions on the Site, ESS also acquired Sanborn Fire Insurance Maps (Sanborn maps) from FirstSearch. Sanborn maps were available for the following years: 1888, 1900, 1927, 1950, 1964, 1989, 1990, and 1992 through 1996. Based on ESS' review of these Sanborn Maps, no significant features of environmental concern were identified.

CLOSING COMMENTS


ESS hopes that information contained in this Report and Attachments satisfy the Client's interest in understanding the environmental liabilities associated with the Site and on-Site building. Should the Client have any questions regarding the contents of this Report, please do not hesitate to call either of the undersigned at 781-489-1114 or 781-489-1105, respectively. ESS appreciated the opportunity to assist the Client with this assignment.

Sincerely,

ESS GROUP, INC.



Jason T. Wiggin, E.I.T.
Project Manager
Environmental Geoscience and
Engineering Division



William M. Chapman
Group Manager
Environmental Geoscience and
Engineering Division

Attachments: Attachment I – ESS Limitations
Attachment II – Report - Hazardous Building Materials Survey Report
(AXIOM – September 16, 2005)
Attachment III – Environmental FirstSearch™ Report

C: ESS File No. B364-000

