

# REQUEST FOR PROPOSALS

Property Photo



## 195 Boylston Street

**Proposal Submission Deadline: 4:00 PM August 29, 2013**

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

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

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### **Notice to Bidders Regarding Downloadable RFPs**

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

## 1. Program Description: Community Facilities Assistance 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 development of the property. These disposition programs include, as examples, programs to

- create affordable and mixed-income housing,
- programs to sell small parcels to abutting property owners for open space uses,
- programs to create middle income homeownership opportunities, and
- programs to support neighborhood economic development.

The **Community Facilities Assistance Program** seeks to generate public benefits in three ways:

- Providing new or expanded publicly-accessible non-profit operated facilities that provide necessary services to area residents, including, but not limited to, community gardens, youth or senior service programs, and educational programs ;
- Strengthening neighborhoods by reducing the amount of vacant and underutilized property in the community; and
- Stimulating economic activity by requiring significant investment in the development of the property.

The Community Facilities Assistance Program does not provide any financial assistance other than real estate at the highly discounted rate of \$100 per parcel, but it does not prohibit the use of governmental and philanthropic funding in any proposed development plan.

It should be understood that properties sold under this program are highly restricted to specific uses. To be eligible for this program, the proposed use must either:

- Furnish a needed public service that is not already available to the nearby community, or
- Enhance an existing service by demonstrably improving the quantity and/or quality of services provided.

The facility must be open to the general public on reasonable terms throughout the year. Office space that is not open to the general public and/or parking areas for employees of the facility are permitted but only as ancillary uses to the primary function of providing direct services to the public. To ensure the long-term use of the property as a community facility, properties sold under this program also come with 50-year deed restrictions that limit the use of the property to specific community facility uses. There will also be a reversion clause in the deed that returns the property to DND if the property is no longer being used for its intended purpose, the entity that purchased the property ceases to exist or is otherwise unable to fulfill its duties to operate the facility, or if the facility is being operated in a neglectful manner that adversely impacts area residents.

Before offering a property under the Community Facilities Assistance Program, DND consults extensively with local residents and community leaders to establish a set of guidelines that reflect the community preferences regarding preferred, acceptable and unacceptable

community facility uses. Those preferences are then incorporated into the 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.

### 1. Site & Neighborhood Information:



## AVAILABLE PARCELS:

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

Street Address	Assessor Parcel Numbers	Square Footage	Current zoning
195 Boylston Street	1102002000	3,725	3F-4000
TOTAL			

## CURRENT ZONING:

This property governed by the zoning requirements of Jamaica Plain Neighborhood District. Specific requirements on the Boston Zoning Code are available at:

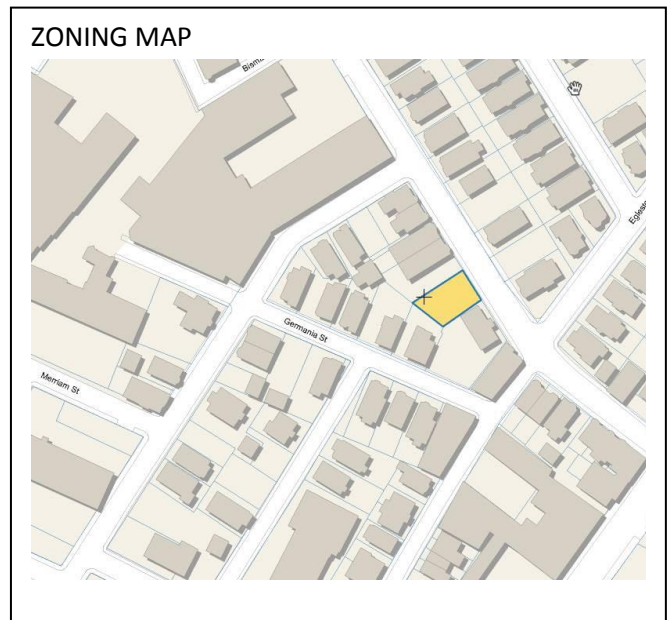
<http://www.bostonredevelopmentauthority.org/pdf/ZoningCode/Article55.pdf>

and the zoning map for this area is available at: [BRA Zoning Map link](#)

**Zoning:** the property is currently zoned *3F-4000*. You will need to consult the Boston Zoning Code to determine if your proposed use is allowed under current zoning, and if you will need any variances from the Boston Zoning Code. 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), if applicable.

## THE NEIGHBORHOOD:

This is mainly a residential street and neighbors would prefer to see more open space.



More information about the neighborhood is available at: [www.cityofboston.gov/neighborhoods/jamaicaplain](http://www.cityofboston.gov/neighborhoods/jamaicaplain)

## **2. Property Title**

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

## **3. Price**

The required offer price for the property is \$100. Proposals that do not offer this amount will be deemed non-responsive and will be disqualified from further consideration. See Cover Document Form 2, *Offer Price*, in Appendix 1 for special instructions regarding pricing for religious organizations.

DND is offering the property in this RFP in "As Is" condition. All utilities, infrastructure and site improvements, environmental remediation 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.

## **4. Proposal Submission Deadline**

Proposals must be received by August 29, 2013 by 4:00 PM and in accordance with the standards described in Section 8 of this RFP.

## **5. 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:

### **DEVELOPMENT CONCEPT**

The neighborhood would prefer to see a community garden/orchard at this site. If chosen as a finalist, the applicant will be required to make a presentation to the community at a meeting prior to being designated as a Tentative Developer.

### **DESIGN**

Applicants should include a schematic site plan showing existing features and proposed improvements such as pathways, fencing, plantings, structures and areas for signage.

## 6. 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 8 of this RFP will be accepted
2. **Complete Proposal Submission.** Proposals must be complete including all necessary forms and documents as required in Section 8 of the RFP including all required signatures and certifications.
3. **Minimum Offer Price.** Only proposals that have an offer price equal to the Minimum Offer Price as described in Section 4 of this RFP will be accepted.

### 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 2 of this Request For Proposals.**

There are 8 Evaluation Criteria:

1. **Development Concept.** This will be evaluated based on how well the proposal meets the Development Objectives set out by the community in Section 6.
2. **Proposer's Development Experience and Capacity.** This will be evaluated based on the Proposer's relative experience in executing renovation and/or adaptive reuse projects comparable to that which is proposed here with an emphasis on experience in the preservation of historic structures.
3. **Development Cost Feasibility.** This will be evaluated based on the relative strength of the Preliminary Development Budget where projected expenses, including all environmental remediation expenses, are sufficiently inclusive and reasonable for the level of rehabilitation envisioned.
4. **Development Financial Capacity.** This will be evaluated based on the relative strength of the Proposer's ability to secure, in a timely manner, all of the financing stated in their Preliminary Development Budget
5. **Proposer's Operational Experience and Capacity.** This will be evaluated based on the relative experience of the Proposer (or the entity that has agreed to operate the facility, if different from the Proposer) in successfully operating facilities of a similar nature to that which is being proposed.

- 6. Operational Financial Feasibility.** This will be evaluated based on the relative strength of the Proposer's financial capacity to successfully operate the proposed community facility based on the Preliminary Operating Budget.
- 7. 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.
- 8. Development Schedule.** This will be evaluated based on the Proposer's planned 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 relatively small site with several nearby 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.

To facilitate the City's evaluation of some criteria, the City may require that Proposers make a presentation to the community. Where a Proposer is asked to make such a presentation, DND will allow the Proposer 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 3 of this Request For Proposals.

## **7. 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 (see Appendix 1 for instructions and forms):

Development Team Letter of Interest  
Cover Document Form 1: *Proposal Cover Sheet*  
Cover Document Form 2: *Offer Price*  
Cover Document Form 3: *Proposal Summary Sheet & Digital Drawings*

### Evaluation Criteria Documentation (see Appendix 2 for instructions and forms)

Development Plan Narrative  
Proposer's Development Experience Narrative  
Evaluation Criteria Form 1: *Preliminary Development Budget*  
Evidence of Financing Statement  
Proposer's Operational Experience Narrative  
Evaluation Criteria Form 2: *Preliminary Operating Budget*  
Draft Design and Site Plans  
Evaluation Criteria Form 3: *Construction Employment Statement*  
Evaluation Criteria Form 4: *Development Timetable*

### Additional Review Documentation (see Appendix 3 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: 195 Boylston Street  
The submission due date of August 29, 2013 by 4:00 PM  
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 August 29, 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: Christopher Rooney

### **Property Viewings.**

It is strongly recommended that prospective developers avail themselves of the opportunity to view the site so that they may prepare their proposals accordingly.

**Questions.** Questions regarding this RFP should be directed in writing to the Project Manager, Bernard A. Mayo, via facsimile at (617) 635-0282 or by email to [bmayo.dnd@cityofboston.gov](mailto:bmayo.dnd@cityofboston.gov) no later than August 16, 2013 by 4:00 PM. 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 RFP; however, it is the applicant's responsibility to check the Department's website regularly for any updates, corrections or information about deadline extensions.

## **8. 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 finalize 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 will 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.

All properties sold for a nominal price under the Community Facilities Assistance Program will have a 50-year deed rider and mortgage that restricts the use of the property to those uses

specified in the Proposer's development plan. Unless authorized in writing by DND, the purchaser may not substantially alter the use of the property; permanently cease operations; transfer the title to the property to any other party, or have any unauthorized financial liens placed on the property. Such actions will trigger a reversion clause in the deed that will transfer title to the property back to DND.

### **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**

The discount on this property from fair market value exceeds \$100,000. That means that if you are a for-profit firm with 25 or more full time employees, or a non-profit firm with 100 or more employees, you will be required to make best efforts to adhere to the Boston Jobs and Living Wage Ordinance, and the provisions of the Promulgated Regulations, including the "First Source Hiring Agreement" provisions of said Ordinance.

### **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

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***END OF 195 Boylston Street 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:  
FORMS & INSTRUCTIONS FOR PROPOSAL COVER DOCUMENTS  
Cover Document Form 1: Proposal Cover Sheet (Page 1 of 2)**

**INSTRUCTIONS:** Complete where indicated and applicable. Be sure to sign at bottom of Page 2 of this Form.

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:

**195 Boylston Street**

For this proposal to be properly evaluated all questions must be answered. 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

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

## Cover Document Form 1: Proposal Cover Sheet (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 below:

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**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

**Cover Document Form 2: Offer Price**

**INSTRUCTIONS:** Applicants are instructed to provide their offer price for the property. Include your name, address, and signature. Failure to offer the minimum offer price of \$100 per parcel shall result in disqualification of the proposal. An offer price that includes any conditions or restrictions is prohibited and shall be disqualified.

Special instructions 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 hired at the Proponent’s expense and approved by DND. If an applicant fails to comply with this pricing requirement, the proposal shall be disqualified.

**OFFER PRICE FOR  
195 Boylston Street :**

**\$ \_\_\_\_\_**

Name of Proposer: \_\_\_\_\_

Address of Proposer: \_\_\_\_\_

Signature of Proposer: \_\_\_\_\_

## Cover Document Form 3: Proposal Summary & Digital Drawings

**INSTRUCTIONS: PROPOSAL SUMMARY.** Complete the Proposal Summary Form (page 17) in the space provided. These are all elements that have been identified by DND and 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:

**Development Plan: Proposed End Use.** Summarize your proposed end use for the property especially as it addresses the Development Objectives listed in Section 5 of this RFP. Indicate what types of services will be provided and if these services are to be targeted to any specific populations (e.g. seniors, persons with disabilities, youth, etc.). Indicate how much of the property will be open to the public and how much will be for staff/administrative uses.

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

**Development Financial Feasibility.** Indicate how much the project will cost, the key sources of financing for the development phase if the project, and how much of that financing you already have on hand or under agreement.

**Proposer's Operational Experience and Capacity.** Summarize the relevant experience and capacity of the entity that will operate the facility once the redevelopment is complete

**Operational Financial Feasibility.** Indicate how much it will cost annually to operate the proposed facility. Identify the planned sources of funding for those operations and how much of that funding you have on hand or under agreement.

**Development Schedule:** summarize how long you expect to take from the time you are selected as developer to construction start, and then how long from construction start until the facility is complete, open and providing services.

**INSTRUCTIONS: DIGITAL DRAWINGS.** 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). These drawings 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 7 of this RFP using the information provided in accordance the Comparative Evaluation instructions listed in Appendix 2 of this RFP.



## Cover Document Form 3: Proposal Summary

Name of Proposer: \_\_\_\_\_

*Instructions for completing this form are on Page 16 of this RFP*

<b>Development Plan: Proposed End Use</b>	
<b>Proposer's Development Experience &amp; Capacity</b>	
<b>Development Financial Feasibility</b>	
<b>Proposer's Operational Experience and Capacity</b>	
<b>Operational Financial Feasibility</b>	
<b>Development Schedule</b>	

## **APPENDIX 2 INSTRUCTIONS, FORMS AND DOCUMENTS FOR COMPARATIVE EVALUATION CRITERIA**

### **Development Plan.**

On a document that is clearly labeled "Development Plan" along with the Proposer's name, provide a complete narrative description of the proposed redevelopment of the property including all major physical changes to the property and the planned end uses of the property. Be clear about how much of the facility is open for public use, how much is for staff/administrative uses, and how much parking there will be on site for staff and for the members of the public that are using the facility. Be sure to highlight 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.

### **Proposer's Development Experience and Capacity.**

On a document that is clearly labeled "Proposer's Development Experience" along with the Proposer's name, describe, listing specific projects and completion dates, any relevant experience your development team has in the construction of non-profit facilities of this nature in the recent past (within ten years).

List the principal parties of your development team that will be responsible for executing the planned redevelopment including the project director(s), architect and any key consulting entities. Provide evidence of their relevant experience.

### **Development Financial Feasibility.**

Complete Evaluation Form 1, *Preliminary Development Budget*. The Proposer is expected to be responsible for typical urban infill site redevelopment costs including utility connections or street work and these costs must be accounted for in the Site Preparation/Environmental line item of the development budget. If DND determines that your Preliminary Development Budget 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.

### **Financial Capacity**

On a document that is clearly labeled "Evidence Of Financing Statement" along with the Proposer's name, provide reasonable evidence (e.g. funder conditional commitments, bank statements, lines of credit statements, lender agreements) that you will be able to access the funding sources as listed in your Preliminary Development Budget. Ensure that you clearly identify how much of this financing you already have in hand or under agreement as this will be a significant factor in assessing financial capacity. Proposers 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.

### **Proposer's Operational Experience and Capacity.**

On a document that is clearly labeled "Proposer's Operational Experience" along with the Proposer's name, describe, listing specific programs and sites, any relevant experience your development team (or the entity that has agreed to operate the facility, if different from the Proposer) has in the operation of non-profit facilities of this nature, especially in the City of Boston.

### **Operational Financial Feasibility**

Complete Evaluation Form 2, *Preliminary Operating Budget*. Include all planned annual operating expenses and revenues after the facility has opened.

**Design.**

On a document that is clearly labeled "Draft Design Plan" along with the Proposer's name, provide preliminary architectural drawings including:

- Draft floor plans for any structures
- If there are any new structures proposed, or significant alterations to existing structures, provide draft 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. See "Building Drawings" in Section 8 of this RFP regarding the availability of existing drawings of the building that can facilitate the production of these drawings.

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, parking areas, 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.

**Construction Employment**

Complete the Evaluation Criteria Form 3, *Construction Employment and Minority/Women Business Statement*

**Development Schedule**

Complete Comparative Evaluation Criteria Form 4, *Development Timetable*

# EVALUATION CRITERIA FORM 1 PRELIMINARY DEVELOPMENT BUDGET

**PROPOSER'S NAME:** \_\_\_\_\_

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

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

SOURCES OF FUNDING	AMOUNT
Sponsor Cash In Hand	\$
Additional Sponsor Fundraising	\$
Philanthropic Funding _____	\$
Philanthropic Funding _____	\$
Bank Loans	\$
Other: _____	\$
Other: _____	\$
Other: _____	\$
<b>TOTAL ALL SOURCES:</b>	<b>\$</b>

**Committed**

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

*Explanatory notes here:*



# EVALUATION CRITERIA FORM 3

## CONSTRUCTION EMPLOYMENT STATEMENT

PROPOSER'S NAME: \_\_\_\_\_

How many full time employees does your firm currently have?

Under 25                       25 -99                       100 or more

Are you a Boston-based business?     YES     NO

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

Are you a Minority-owned Business Enterprise?     YES     NO

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

Are you a Woman-owned Business Enterprise?     YES     NO

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

### **RESIDENT, MINORITY AND FEMALE CONSTRUCTION EMPLOYMENT**

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

<b>Boston Residents</b>	<b>50% of project hours</b>
<b>Minority</b>	<b>25% of project hours</b>
<b>Female</b>	<b>10% of project hours</b>

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

If you have additional information demonstrating your capacity to achieve these employment targets, you may provide this information on a separate sheet clearly labeled at the top with "Supplementary Construction Employment Statement" and the Proposer's name. *Note: if you are, according the US Dept. of Housing & Urban Development, a Section 3 certified vendor, this will be considered strong evidence of capacity to achieve DND's employment goals.*

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

## EVALUATION CRITERIA FORM 4 DEVELOPMENT TIMETABLE

**PROPOSER'S NAME:** \_\_\_\_\_

*Assuming that you are designated on \_\_\_\_\_, indicate your planned development schedule on the form attached listing your target dates for achieving these key development milestones.*

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

## **APPENDIX 3 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)

# ADDITIONAL REVIEW FORM 3

## 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 4**  
**BENEFICIAL INTEREST STATEMENT**

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

**195 BOYLSTON STREET, JAMAICA PLAIN (Assessor parcel 1102002000 )**

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)