



WAREHAM BOARD OF SELECTMEN

REQUEST FOR PROPOSALS
FOR
DISPOSITION OF REAL PROPERTY FOR THE DEVELOPMENT OF
AFFORDABLE HOUSING at the WESTFIELD SITE, WAREHAM, MA

August 24, 2009

Note: This is a request for a rebid of a previous RFP dated June 12, 2009

**WAREHAM BOARD OF SELECTMEN
REQUEST FOR PROPOSALS**
For Expansion of Westfield Site, Wareham, MA

Proposals Due: October 2, 2009 10:00 AM

I. Invitation to Bid

Pursuant to M.G.L. c. 30B, §16, the Town of Wareham acting through the Wareham Board of Selectmen (“BoS”) hereby request proposals from affordable housing developers to enter into a 99 year ground lease consisting of approximately 18.5 acres of land and improvements located at Charlotte Furnace Road, Wareham, Massachusetts, as further described in Exhibit B Preliminary Site Plan of Existing Conditions attached hereto, (hereinafter referred to as the “Premises”). The BoS seeks proposals from qualified bidders to design, finance, construct and operate at least one hundred and fifty (150) affordable senior housing rental units as defined under Section V below in accordance with the terms and conditions of this Request for Proposals (RFP).

An RFP for assisted living/affordable housing was originally solicited on June 12, 2009. This current RFP is a request for developers to rebid the project as an affordable housing project for seniors. Changes are as noted below:

- In addition to the target market of families that currently own a home in Wareham and wish to downsize to a seniors affordable rental unit, added a target market of families that earn less than \$50,000 per household.
- Changed the requirement for an assisted living/affordable housing project with a minimum of 30 units or 25% as assisted living to a requirement that all units be affordable and the need for assisted living requirement has been eliminate
- Modified the project size from 50 to 250 units to 150 to 200 units
- Modified the Contribution of CPA funds from \$200,000 to a minimum of \$200,000 up to \$500,000 depending on the strength of the proposal and the financial impact on the Town.
- The need to supply sewer capacity for a potential new school on the site has been eliminated

The applicable terms, conditions, and restrictions are more fully set forth below. For purposes of this RFP, the Proposer or Developer that is ultimately awarded a lease for the Premises shall hereinafter be called the “Developer,” and the development and use of the Premises for such rental affordable housing pursuant to the lease of the Premises shall hereinafter be called the “Project.”

The purpose of this RFP is to facilitate the selection of a developer who demonstrates the qualifications and capacity necessary to (a) best effectuate the terms, conditions, and restrictions for the Developer’s use of the Premises pursuant to the lease in conformance

with the Terms, Conditions, and Restrictions on Use set forth in Section III, V and X of this RFP, and (b) best meet the Evaluation Criteria described in Section XII. This RFP provides certain information about the Premises in Section III, Instructions to Developers in Section XIV, Submission Requirements in Section XI, Selection Process in Section XV, and Exhibits in Section XVI.

In October 2004, the Wareham Board of Selectmen adopted the Wareham Affordable Housing Plan. It calls for the expansion of Westfield Site, along with a number of other affordable housing initiatives. Copies of the Wareham Affordable Housing Plan are available on the Town web site.

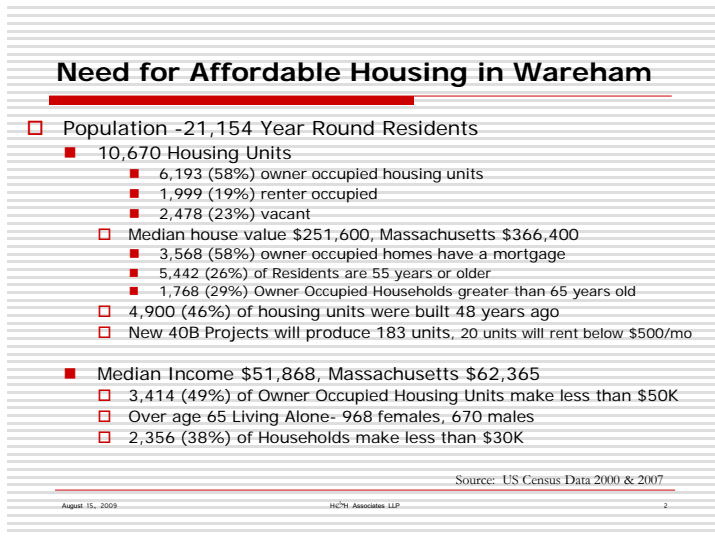
While the Town and the BoS believe that the information provided in this RFP (including all Exhibits and supplements hereinafter referred to as the “Premises Information”) is accurate, the Town and BoS make no representation or warranty, express or implied, as to the accuracy and completeness of the Information. The Town and BoS assume no liability for the inaccuracy or incompleteness of the Information. Each Developer assumes all risk in connection with the use of the Premises Information and releases the Town and BoS from any liability in connection with the use of the Information by the Developer.

In addition, the Town and the BoS makes no representation or warranty with respect to the Premises, including without limitation, the value, quality or character of the Premises or it fitness or suitability for any particular use and/or the physical and environmental condition of the Premises.

II. Need for Affordable Housing in Wareham

Wareham year round population of 21,000 people occupies 10,670 housing units of which 58% are owner occupied with a median house value of \$251,600. 26% of the residents are over 55 years old and 49% of the owner occupied housing units make less than \$50,000 per year.

The primary target markets for the Westfield project are the 5,400 residents that are over 55 years of age and wish to sell their primary residence and down size to rental housing to avoid increased taxes and increased housing maintenance cost and the 2,356 households that make less than \$30,000 per year.

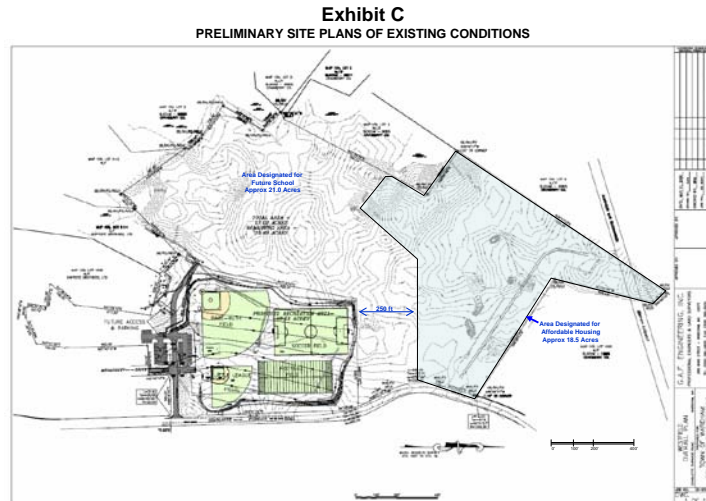


The Wareham Housing Authority currently has a waiting list for more than 100 units for the Agawam Village residences in Wareham.

III. Description of the Premises

1. **Location**

The Premises is currently is a vacant parcel of land owned by the Town of Wareham on the boarder of Wareham and Carver on Charlotte Furnace Road and referred to as the Westfield Site. The original parcel was 57.02 acres. The town subdivided the land and built ball fields on 17.53 acres leaving 39.49 acres. The Town intends to subdivide this land and designate up to 18.5 acres for affordable housing leaving 21.0 acres for future use by the Town. The Boundary of the area designated for affordable housing must be 250 feet from ball fields to provide access to the 21.0 acres. Refer to Exhibit A and Exhibit C. The Premises is flat land typical of land in the area. There are no distinguishing features on the land.



Should the need arise; the BoS may make adjustments to the lot lines for the Premises to accommodate the specifications of the development proposal ultimately selected by the BoS and other factors.

With the approval of Town Meeting, as defined in Section IX, the BoS will be authorized to lease the land for the project as defined in Exhibit J at a minimum lease cost of one hundred dollars (\$100.00) per year. The BoS believes the value of the land lease is significantly greater than \$100.00 per year.

2. **Town Water and Sewer**

The site is not served by either Town water or sewer.

Town water extends north on Charlotte Furnace Road to the 495/25 overpass. (Refer to Exhibit E). Town sewer extends to the Tobey Road and the Springbourne pumping station where there is a possible location for a connection to town sewer.

The BoS are of the opinion that the installation of town sewer to the site will provide better protection to the ground water and be in the best long term interest of the community. As such they encourage developers to consider sharing the cost of installing sewer to the site with the town as described below.

As noted in Section VI, the BoS will recommend to the Town Meeting that a contribution

of \$500,000 be made to the project to pay for a portion of the costs to connect water and sewer.

The Sewer Commissioners have determined in the past that the town has adequate water capacity and sewer capacity to support similar projects and will need to evaluate the current capacity of the sewer in Tobey Road and the Springbourne pumping station.

The Selectmen will entertain proposals to extend the sewer and water services to the site per the following general specifications.

1. The Water Department suggests a 12" water main from the 495 overpass to the site (see Exhibit E)
2. CDM, the Sewer Commissioners Consultant, suggests a 6" DI force main from the site to the Tobey Road Springbourne pumping station. A portion of the route would be in State Highway (route 28), which will require controlled density fill. A new pumping station with an on-site generator at the site would need to have a capacity of 260 gpm in order to provide minimum velocity in the force main.

IV. Status of Achieving 40B Goals

Mass General Law c 40B, requires each community in the state to have 10% of their housing stock designated as affordable housing. According to the 2000 census, Wareham is required to have 865 of their 8,650 housing units designated as affordable. Currently the Town has 752 affordable units or 8.7% and is therefore under the state mandated level of 10% by 113 units

New census numbers are due for 2010 and Wareham's housing stock is expected to increase by 10% to 9,515 units and the town is projected to be 200 units short of their 2010 to 2020 40B housing goal.

V. Description of the Project and Design Objectives

The Westfield project is envisioned to be a complex that provides services to senior citizens who are 55 years and older. As a senior citizens complex, it should provide residential care that is 100% affordable as defined by DHCD or HUD.

1. Prospective Developers are encouraged to propose a design that will accomplish the following.
 - a. Number of Units in the Project
Construct a minimum of 150 units and no more than 200 units.
 - b. One and Two Bedroom Units
A mix of one and two bedroom units is desired, consistent with the area demand for affordable housing and the requirements to maximize federal/state funding assistance.
 - c. Affordable Rents in the Project
Rents should be consistent with those outlined in the Federal Low Income Housing

Tax Credit program and/or the HUD [Section 202 Supportive Housing for the Elderly Program](#). The project should maximize the number of units that have rents equal to no more than 30% of the gross income for a household earning 80% of the Area Median Income including an allowance for normal utilities. In addition, the project should maximize the number of units equal to no more than 50% of the gross income for a household earning 80% of the Area Median Income including an allowance for normal utilities.

d. Wareham Residency Preference

If allowed by the subsidizing program and subject to applicable laws, rules, and regulations and as consistent with federal and state fair housing standards, the Developer shall give a local preference, to 70% of the affordable housing units, to residents of the Town of Wareham who have been residents of the Town for at least two years prior to application for tenancy or who have graduated from the Wareham High School.

e. Transportation to Site

The site is located in a private area of Town and is not within walking distance of shopping or medical offices. Some residents will be able to drive, but some residents will need to rely on public transportation. Two services must be offered.

- i. GATRA must offer a pick up and drop off at the front door of the project four times a day with the exception of weekends and holiday.
- ii. A private van and driver may be offered to provide residents transportation on demand for shopping, medical appointments, and other needs.

f. Description of each room

- i. 5% of the rooms are to provide handicap access
- ii. Each room will have a full private bath.
- iii. Residents bring in their own furnishings and may decorate their room as they wish. Each room is equipped with a refrigerator.

g. Common Living Areas

Common areas are to be located on each floor, appropriate for casual conversations, television viewing, or larger gatherings of families and friends.

h. Activities

Provide activities coordinator to provide a range of daily special activities and events for special occasions and holidays.

i. Amenities

Provide residents with a modern living environment that includes all appliances and conveniences in each unit. This must include A/C, stove, oven, microwave and refrigerator. Apartments should be wired to facilitate choice between telecommunications providers of telephone, Internet and cable television service.

j. Central Services

Provide central services to residents that include features for affordable housing plus a washer/dryer room for every building, offices and storage for management company, storage for residents

k. Elevator

At least one elevator per each multi story building is to be provided

l. Parking

Nominally one parking space per bedroom, plus adequate additional parking for staff as approved by the ZBA.

m. Height of Building(s)

Under current zoning bylaws, building heights in R-30 district are limited to 35 feet. However, if necessary for the feasibility of the project, building heights may be increased to allow for a 3rd floor in appropriately designed buildings and as approved by the Zoning Board of Appeals.

n. Sound Proofing — The units should be appropriately soundproofed to facilitate harmonious relations between neighbors.

o. Community Building -- A community building or area for social activities is desirable with a minimum of 1,000 square feet that is either detached, or attached to the residential units.

p. Landscaping/Open Space -- Provide for attractive landscaping, barbeque, gazebo and walking trails on site, with connection to adjacent open space and conservation lands.

q. Fire lanes and egress/ingress- The site design must provide for the proper fire lane widths, turning radius and ingress/egress dimensions for fire apparatus, and access to the buildings from three sides as approved by the Fire Chief. Lock box and pass keys should be conveniently located for use by public safety personnel in an emergency. Buildings should be fully sprinkled for fire protection, and fire hydrant(s) installed at locations approved by the fire department and Water Division. All exits, discharges and passageways should be properly designed and signed for emergency exit, with emergency lighting as appropriate. The Town of Wareham's Fire Chief and Police Chief will review and approve the final design to ensure it meets the public safety requirements of the Town.

r. Public Garden — Provide a public vegetable and flower garden on the site for residents. The garden shall be at least 500 sq feet with 5 parking spaces and water on site.

s. Architectural Style -- Provide a facility that fits the scale and traditional architecture of Wareham. A design which implements prevailing architectural styles and utilize construction materials that are consistent with other structures in Wareham/Cape Cod and which are considered “traditional” in appearance and ambiance.

VI. Environmentally Friendly -- Utilize construction techniques that are consistent with the elements of “green design” and are also consistent with Energy Star Standards developed by

US EPA and Leadership in Energy and Environmental Design (LEED) Standards for certification developed by US Green Building Council to promote conservation of energy resources and reduce operating costs. As appropriate, these may include wind power, solar power or other alternative energy sources. **Town Financial Contribution to the Project**

To support the goals of this Project, the BoS will propose to the Community Preservation Committee (CPC) for approval by Town Meeting a financial contribution to the project of a minimum of \$200,000. Depending on the strength of the proposal selected and the financial requirements of the project, additional funds up to \$500,000 may be requested of Town Meeting by the BoS, or appropriated from the Town's CPA funds.

VII. Zoning and other Approvals

The Premises is currently zoned as "Residence R-30" as shown on the Zoning Map in Exhibit D. The Developer is responsible for obtaining zoning permits that are required for its Proposal. Upon selection of and receipt of preliminary plans from the Developer, the BoS will support the Developer in obtaining necessary zoning permits and other approvals for the project. If determined to be appropriate, a request for a comprehensive permit will be submitted by the Chairman of the Board of Selectmen and BoS as described in 760CMR56 et seq to DHCD.

VIII. Environmental Considerations

There are wetland resource areas near the Premises, and construction of the Project will require approvals from the Wareham Conservation Commission and other local, state and federal authorities. The Developer will be responsible for obtaining all required zoning approvals, wastewater connection permits and other approvals necessary for completion of the Project, with the cooperation and support of the BoS. The Developer must submit a Request for Determination for the BVI line using current methodology.

IX. Disposition by Town Meeting

Once a proposal is accepted, the BoS the BoS will require the Developer to present and explain the project to Boards, Committees and Commissions in Town and to the Town meeting. The BoS will propose an article for consideration to the Town meeting to be held the last Monday in October of 2009 to lease the land to the Developer. A draft of the article is noted below. "To see if the Town will vote to authorize the Board of Selectmen, pursuant to G.L. c. 40, s.15A, to lease the care and custody of the real property and improvements thereon known as Westfield Site, more specifically located at Charlotte Furnace Road, consisting of 18.5 acres, more or less, and identified on Wareham Assessor's _____, being the premises shown as Westfield Overall Plan surveyed by G.A.F Engineering on May 11, 2006, to be placed under the Seelctmen's care and custody for the purposes of continuing and expanding the use of the parcel for affordable senior rental housing and further, to authorize the BoS, if the BoS so vote, to lease or convey said property and improvements for the purposes of improving, expanding and the perpetual management of the property for affordable rental housing pursuant to the requirements of G.L. c.40, s.3 and G.L. c.30B, et seq. and upon terms and conditions acceptable to the BoS and pursuant to the authority granted the BoS by G.L. c.44, s.55C, and further, that if the BoS is to convey said property, that said conveyance be subject to the prior placement of a restriction on said property, including but not limited to that found at G.L. c.184, ss.31-33, ensuring that all dwelling units constructed thereon be restricted for affordable housing purposes in perpetuity; or take any other action thereon."

X. Terms, Conditions, and Restrictions of Use

The Terms and Conditions of a proposed lease must substantially meet the requirements of Section II Description of the Project and Design Objectives. In addition the BoS set the following terms, conditions, and restrictions on the Developer's use of the Premises under the Lease Agreement:

a. Developer

The Developer shall be a for-profit or not-for-profit corporation and shall have full capacity and experience to design, engineer, construct, and operate the Project and to obtain the necessary financing to complete the Project.

b. Operations

The Developer shall provide full service operation, maintenance, repair and management of the Premises for affordable rental housing in compliance with all legal and regulatory requirements. Unless otherwise expressly set forth in the purchase agreement, all costs, expenses, liabilities, charges, taxes or other deductions whatsoever with respect to the Premises, and the construction, ownership, leasing, operation, maintenance, repair, rebuilding, replacement, use, or occupation of the Premises shall be the responsibility of Developer. The final terms of the purchase agreement or lease agreement shall be subject to approval by the BoS.

c. Proposal to Lease the Premises

The BoS contemplates entering into a lease agreement with the Developer in a form similar to that shown in Exhibit H. In the RFP response, the Developer should include comments on Exhibit J indicating the terms and conditions it feels are reasonable and fair for the parties. Alternatively, the Developer may include an alternative version of Exhibit J that it proposes to the BoS.

d. Property Management -- The Developer shall enter into a contract with a professional property manager, the selection of whom shall be subject to the BoS's approval. The property management firm shall have at least three (3) years of experience managing affordable rental housing and shall have offices in the Commonwealth of Massachusetts.

e. Service Level Objectives

The property manager shall manage the physical Premises as well as all financial operations of the Project. The property management agreement must contain predefined Service Level Objectives ("SLAs"). The Developer must provide the BoS with the ability to assess at least annually whether the management company is meeting or exceeding the SLAs. The property management agreement must contain provisions requiring the property manager to promptly cure any reported deficiencies in meeting minimum SLAs, and must provide for the possibility of termination in the event of repeated and material breaches in meeting SLAs.

f. Construction in Phases

In order to secure funding and or verify market demand the Develoepr may construct the project in phases. If a phased construction schedule is proposed a schedule of the phases should be included in the proposal. This schedule is subject to approval by the BoS.

g. Environmental and Land Use

The Developer shall undertake its own review and analysis (due diligence) concerning the physical and environmental condition of the Premises, applicable zoning and other land use laws, required permits and approvals, and other development, ownership, and legal considerations pertaining to the Premises, the Purchase agreement, and the use of the Premises, and shall apply for and obtain all approvals and permits required for the Project, with the cooperation of the Town and BoS.

h. Reimbursement to the BoS of General Development Costs

The Developer shall include in any proposals for funding, the traditional General Development costs found in Section 3 of the One Stop 2000 Application that are incurred by the BoS on behalf of the Project. If public or private funding is received, the Developer will reimburse the BoS for all General Development Costs incurred at the time that funding is received. A cap will be agreed to by all parties. General Development Costs include cost to survey and permit the Premises, cost of legal support, title and recording fees, insurance costs, cost to relocate residents and cost of a development consultant. The BoS will provide the Developer a detailed summary of all costs prior to submission of the application for public and private funds.

i. Conveyance

In order to establish site control as defined by the funding organizations and the subsidizing agency for a comprehensive permit, the BoS will execute an appropriate interim site control instrument with the Developer, within ninety (90) days of selection of the Developer by the BoS.

The BoS will convey the Premises to the developer through a long term lease agreement upon successful completion of all the following:

- i. Obtaining all permits as required by Town, Regional, State and Federal Agencies.
- ii. Approval by the BoS of the final construction plans stamped by a registered architect for the project.
- iii. Approval by the BoS that all financing to construct the project has been obtained and approved by the appropriate lenders.
- iv. Approval by the BoS of the first five years of operating costs for the project.
- v. Approval by the BoS of the operating company selected by the Developer.

j. Other Developer Responsibilities

The Developer shall be solely responsible for:

- i. Costs -- All costs and expenses of constructing the Project, including without limitation, the design and construction of all residential buildings, utilities, driveways, landscaping improvements, and other infrastructure.
- ii. Designing and Achieving a Compatible Project -- Working with the BoS to design and construct the Project in a manner that is compatible/harmonious with surrounding land uses, and the architectural styles of residential buildings in Wareham. Within six months of the award under this RFP, the Developer shall submit final construction and architectural drawings to the BoS for its review.
- iii. Permits, Approvals and Licenses -- Obtaining, at its sole cost and expense, all necessary permits, approvals and licenses from governmental authorities required for the construction of the Project. As previously stated, the BoS will actively support all reasonable applications from the Developer.
- iv. Compliance -- Completing the Project in a good and workmanlike manner, in compliance with sound engineering and construction practices, and within the requirements of all applicable laws, ordinances, codes, orders, rules, and regulations of all governmental authorities, agencies, or departments with jurisdiction, including, but not limited to, all applicable federal construction bidding and wage laws if federal assistance is provided to the Project.
- v. The selected Developer must insure that the Project meets the requirements set forth by the BoS as well as any subsidy programs that might be needed from local, regional, state and federal funding sources. The developer will execute a Purchase or Lease agreement with the BoS that will establish total Project cost, income guidelines for residents of the housing, amount of subsidy available, design and construction guidelines, as well as any additional Project terms and conditions.
- k. Financing -- The selected Developer is responsible for securing all project financing. In addition, the developer must complete final plans and specifications subject to the review and approval of the BoS and arrange for timely commencement and completion of the Project. The proposal, including preliminary plans and specifications, a schedule of costs, and detail of proposed subsidy and financing sources is subject to the review and approval of the BoS as part of the proposal selection process.
- l. Performance Bond -- The Developer must require that the contractor provide a performance bond or letter of credit equal to 100% of the cost of construction.
- m. Legal and Regulatory Compliance -- The proposed Project shall conform to, and be subject to, the provisions of all other applicable laws, regulations, and ordinances of Federal, State, Regional and Town authorities having jurisdiction as amended from time to time.
- n. Permits and Approvals -- Valid permits and approvals, as required by Town, Regional, State and Federal agencies, shall be obtained by the developer/contractor prior to commencing work.

o. Good Standing -- No transaction will be consummated if any principal of any selected developer is in arrears or in default upon any debt, lease, contract or obligation to the Town of Wareham, including without limitation, real estate taxes and any other municipal liens or charges. The BoS reserves the right not to review any proposal by any such applicant.

2. Obligation to Act or Purchase or Lease

This RFP does not represent any obligation or agreement whatsoever on the part of the BoS to go forward with the Project described in this RFP.

3. No Rights

Selection of an applicant's proposal will not create any rights on the applicant's part, including, without limitation, rights of enforcement, equity or reimbursement, until all related documents are fully executed and approved by the BoS.

4. Right to Reject any and all Proposals

The BoS reserves the right, in its sole discretion, to reject at any time any or all proposals, to withdraw the RFP, to negotiate with one or more applicants, and/or negotiate and dispose of the Premises on terms other than those set forth herein (including to parties other than those responding to this RFP). The BoS likewise reserves the right, at any time, to waive compliance with, or change any of the terms and conditions of this RFP or to entertain modifications or additions to selected proposals.

5. Compliance and Eligibility

All determinations as to the completeness or compliance of any proposals, or as to the eligibility or qualification of any applicant, will be within the sole discretion of the BoS.

6. Subcontractor Performance Bond

The Developer must require that any subcontractors utilized, provide a performance bond or letter of credit.

7. Deed Restriction to Affordable Housing

In the event of a conveyance, a deed restriction will be placed on the property preserving the use of the Premises as affordable housing in perpetuity.

8. Further Review

The Developer should undertake its own review and analysis concerning physical condition, environmental condition, applicable zoning laws, required permits, and approvals and other development ownership and legal consideration pertaining to the Site, the Lease and the use and shall apply for and obtain all approval and permits required for the Project.

9. Town Meeting Approval

The Town's award under this RFP is subject to approval by Town Meeting.

XI. Submission Requirements

All proposals must include the following materials:

1. Transmittal Letter of Interest signed by the principal(s) of the Developer who are authorized to submit its RFP response;
2. Project information and narrative description of the proposed development including drawings to explain the design.
 - a. Preliminary site plan
 - b. Preliminary building specifications and building elevations
 - c. Proposed unit configuration
 - d. Project and development schedule indicating dates phase to be completed
 - e. Preliminary plans to provide water and sewer to the site including cost estimate
3. Developer Information:
 - a. Description of the Developer's prior housing development experience (particularly affordable housing developments) and three (3) references to comparable projects. The BoS will wish to speak to these references and may wish to conduct a site visit to the references.
 - b. Evidence of federal or state funds received for other affordable housing projects.
 - c. Description of development team including key consultants, property manager, contractors, architect, and attorney presented in the same format as the One Stop2000 Affordable Housing Finance Application, Schedule 2.
 - d. Disclosure of beneficial interest (M.G.L. c. 7 § 40J) (attached as Exhibit F).
 - e. Certification of tax compliance (M.G.L. c. 62C § 49A) (attached as Exhibit G).
4. Financial information on Project (Note: One Stop 2000 application maybe used, but is not required if information is provide in similar format)
 - a. Sources and uses of funds in a similar format as the One Stop2000 Affordable Housing Finance Application, page A-1.
 - b. Rent profile analysis presented in a similar format as the One Stop 2000 Affordable Housing Finance Application, page A-2.
 - c. Operating pro forma presented in a similar format as the One Stop 2000 Affordable Housing Finance Application, page A-3.
 - d. Amount the Developer proposes to pay the Town to include real-estate tax, excise taxes, sewer and water connection fees, onetime payment at time the long term lease is signed and yearly payment to be made to the Town. (Note if the One Stop 2000 application is used, this information is included in page A-3 to A-7.)
5. Property Manager Information (may be combined with the Developer information if the same party):
 - a. Description of the Property Manager's prior housing management experience and three (3) references to comparable projects.
6. References from three similar projects. Please include the name, address, telephone number and Email address.

XII. Evaluation Criteria

1. All responsive proposals must meet the following minimum threshold criteria:
 - a. Complete conformance with all submission requirements,
 - b. Experience in the development and management of affordable housing,
 - c. Certification of compliance for all state and local taxes,
 - d. Statement of intention to lease the Premises, and
 - e. Plans to provide water and sewer to the site including system capacity and preliminary design of the proposed systems
 - f. Evidence of ability to obtain financial commitments from public or private lenders, or subsidizing agencies, sufficient to finance the construction of the Project.
 - g. Summary of monthly rents that will be charged for each unit
2. The Town has the following preferences, in order of priority, for this affordable housing project:
 - a. Senior housing for age 55 and over or over age 62 if required by subsidizing agency
 - b. An affordable housing that rents below \$500 per month for the project as defined by the RFP
 - c. Financing the extension and connection to town sewer and minimizes the cost to the Town
 - d. Transportation for the residents provided by a combination of public transportation via GATRA and private in house transportation owned and operated by the facility
3. Projects meeting the minimum threshold criteria will also be judged on the following comparative evaluation criteria:
 - a. A Highly Advantageous rating will be given to a proposal that in the judgment of the evaluators exceeds the requirements of the RFP.
 - b. An Advantageous rating will be given to a proposal that in the judgment of the evaluators meets the requirements of the RFP.
 - c. An Unacceptable rating will be given to a proposal that in the judgment of the evaluators falls short of meeting the requirements of the RFP.
4. Financial Capacity
 - a. A Highly Advantageous rating will be given to a proposal that in the judgment of the evaluators identifies a Project Team with exceptional financial capacity to undertake the Project proven by prior experience financing real estate development, including securing any necessary interim financing, the ability to provide any equity contribution projected in the Sources and Uses Budget, and the ability to secure financing as evidenced by letter(s) from or applications to prospective lender(s) and other supporting material for all of the Project's costs, including public and private equity.

- b. An Advantageous rating will be given to a proposal that in the judgment of the evaluators identifies a Project Team with reasonable financial capacity to undertake the Project.
 - c. An Unacceptable rating will be given to a proposal that in the judgment of the evaluators fails to identify a Project Team with reasonable financial capacity to undertake the Project.
5. Financial Impact on the Community
- a. A Highly Advantageous rating will be given to a proposal that in the judgment of the evaluators presents a plan that has the most favorable financial impact on the community, including any purchase price, taxes, fees or lease payments beyond the minimum required.
 - b. An Advantageous rating will be given to a proposal that in the judgment of the evaluators presents a plan that has an average financial impact on the community.
 - c. An Unacceptable rating will be given to a proposal that in the judgment of the evaluators presents a plan that has a below average financial impact on the community.
6. Senior affordable housing with the maximum number of units below \$500 and a mix of one and two bedroom units
- a. A Highly Advantageous rating will be given to a proposal that in the judgment of the evaluators exceeds the requirements of the RFP.
 - b. An Advantageous rating will be given to a proposal that in the judgment of the evaluators meets the requirements of the RFP.
 - c. An Unacceptable rating will be given to a proposal that in the judgment of the evaluators falls short of meeting the requirements of the RFP.
7. Developer Capacity
- a. A Highly Advantageous rating will be given to a proposal that in the judgment of the evaluators identifies a project team, including members of the corporation, the proposed general contractor, operating entity, and the proposed architects, engineers, and other subcontractors (collectively, the “Project Team”) capable of completing the Project successfully and in an expedited manner, as evidenced by a track record of developing affordable housing and overall financial qualifications. The track record will be evaluated in terms of experience securing funding proposed in the plan, outcome of comparable projects (time, budget, and design), experience working with volunteer boards of directors, evaluation of proposed property management, and reference checks.
 - b. An Advantageous rating will be given to a proposal that in the judgment of the evaluators identifies a Project Team capable of completing the Project successfully and in a timely manner, as evidenced by such a track record.
 - c. An Unacceptable rating will be given to a proposal that in the judgment of the evaluators fails to identify a Project Team capable of completing the Project successfully and in a timely manner.

8. Design of Water and Sewer System

- a. A Highly Advantageous rating will be given to a proposal that in the judgment of the evaluators presents a superior proposed design to provide water and sewer to the site including preliminary engineering plan, estimate cost of the system and the most advantageous proposal to share cost with the town.
- b. An Advantageous rating will be given to a proposal that in the judgment of the evaluators presents an average proposed to provide water and sewer to the site including preliminary engineering plan, estimate cost of the system and the most advantageous proposal to share cost with the town.
- c. An Unacceptable rating will be given to a proposal that in the judgment of the evaluators presents an inferior proposed design to provide water and sewer to the site.

9. Feasibility of Proposed Project

- a. A Highly Advantageous rating will be given to a proposal that in the judgment of the evaluators is highly feasible based on an analysis of the development budget, the demonstrated ability of the Project Team to resolve environmental and permitting issues, the likely acceptability of designs by regulators, lenders and funders, the likelihood of obtaining proposed financing for construction and soft costs as estimated, the reasonableness of the operating budget including management, administrative, maintenance, utility costs, and adequacy of reserve allowances.
- b. An Advantageous rating will be given to a proposal that in the judgment of the evaluators is feasible based on an analysis of these factors.
- c. An Unacceptable rating will be given to a proposal that in the judgment of the evaluators is not feasible based on an analysis of these factors.

10. Site and Building Design

- a. A Highly Advantageous rating will be given to a proposal that in the judgment of the evaluators presents a superior proposed design evaluated on how well the proposed design complies with requirements of this RFP; responds to site conditions; prevailing architectural styles in the Town of Wareham; anticipates and addresses likely design requirements of public agencies; complies with “green design standards defined in the RFP; presents architectural merit in terms of unit designs and the quality of proposed construction; observes careful site planning; and analyzes zoning and regulatory changes required, and the ability to file and defend applications for such changes.
- b. An Advantageous rating will be given to a proposal that in the judgment of the evaluators presents an average proposed design evaluated on the basis of these factors.
- c. An Unacceptable rating will be given to a proposal that in the judgment of the evaluators presents an inferior proposed design evaluated on the basis of these factors.

11. Property Management

- a. A Highly Advantageous rating will be given to a proposal that in the judgment of the evaluators presents a superior plan to ensure the BoS has the most flexibility to ensure the management company operates at the highest standards.
 - b. An Advantageous rating will be given to a proposal that in the judgment of the evaluators presents an average plan to ensure the management company operates at the average standards.
 - c. An Unacceptable rating will be given to a proposal that in the judgment of the evaluators presents an inferior proposed plan to ensure the management company operates at the average standards.
12. Transportation for the residents provided by a combination of public transportation via GATRA and private in house transportation owned and operated by the facility
- a. A Highly Advantageous rating will be given to a proposal that in the judgment of the evaluators exceeds the requirements of the RFP.
 - b. An Advantageous rating will be given to a proposal that in the judgment of the evaluators meets the requirements of the RFP.
 - c. An Unacceptable rating will be given to a proposal that in the judgment of the evaluators falls short of meeting the requirements of the RFP.
13. After evaluating a proposal on the foregoing factors, the evaluators will provide an overall score and ranking for the proposal as compared to other proposals. For example, a proposal which achieves “Highly Advantageous” and/or “Advantageous” rankings in several categories will not necessarily be disqualified simply because it received a “Unacceptable” ranking in one or more other categories if, in the judgment of the evaluators, the proposal on the whole is “Advantageous” or “Highly Advantageous” to the Town and BoS. Any notice of award, however, could be contingent upon the potential Developer and the BoS mitigating any “Unacceptable” criterion ranking prior to the execution of the Purchase or Lease agreement.

XIII. Proposal Process and Schedule of Events

1. Obtaining Additional Information and Updates to the RFP

The RFP will be posted on the Town of Wareham’s web site. Copies of the RFP and updates issued by the BoS may be obtained from the web site at http://www.wareham.ma.us/Public_Documents/WarehamMA_Bids/. Modifications, changes or updates to the RFP will be sent to all parties that register by sending an Email to John Sanguinet, Interim Town Administrator, 48 Marion Road, Wareham, MA 02571, 508-291-3100 ext. 3100, Email jsanguinet@wareham.ma.us.

Please include the following information in the email.

Firm name and address

Contact person, telephone number and email address

You will receive a confirmation that you are registered to receive updates to the RFP within in two business days. If you receive an confirmation that you are registered to

receive updates or if you do not receive a confirmation that you have been registered to receive updates, you are responsible to check the web for updates issued by the Town.

2. Optional Briefing, Site Visit

The BoS will conduct an optional bidders briefing and tour of the Premises on September 17, 2009. Interested Developers should meet at 10:00 AM at the Wareham Town Hall and then proceed to the site at Charlotte Furnace Road, Wareham, MA after the bidders conference. A representative of the Town and BoS will be available to answer questions and tour the site. Developers are advised to do their own due diligence, and that neither the Town nor any of its agents or representatives is responsible for representations made regarding the physical condition of the Site.

3. Written Questions

Developers will have an opportunity to submit written questions to the BoS. All questions and requests for clarification or interpretation of the meaning of the RFP, and any other correspondence or communication concerning the RFP, shall be submitted in writing, to:

Board of Selectmen
c/o John Sanguinet, Interim Town Administrator
48 Marion Road
Wareham, MA 02571
508-291-3100 ext. 3100
Email: jsanguinet@wareham.ma.us

4. Communication with the Town

Developers are strongly encouraged to read the materials carefully and submit all questions in writing by Board of Selectmen c/o John Sanguinet, Interim Town Administrator. Responses, clarifications or interpretations and any supplemental instructions or forms, if issued, will be verbally issued at the optional bidder's conference on July 8, 2009 and in the form of written addenda by July 15, 2009, and all such responses will be on file with the Wareham Community and Economic Development Authority at that time.

Any document, facsimile or e-mail submitted on behalf of a Developer is presumed to be a public record. Likewise, all questions submitted and the corresponding answers will be distributed to all Developers who have formally requested this RFP, without attribution. All direct contact concerning this RFP, including written communications to: Board of Selectmen, John Sanguinet, Interim Town Administrator, Memorial Town Hall, 54 Marion Road, Wareham, MA 02571, 508-291-3100, Email: CReilly@wareham.ma.us

The BoS will not be responsible for, and Developers may not rely upon, any information, explanation or interpretation of the RFP rendered in any fashion except as provided in accordance with this RFP. Any communication concerning the content of the RFP by any Developer, or anyone on its behalf, with any Town member or employee other than John Sanguinet, Interim Town Administrator in the manner specified above may result in the rejection of that Developer's proposal unless, in the sole judgment of the BoS the communication could not reasonably be believed to have given the Developer a competitive advantage or to have impaired the fair and even competitive environment on this RFP.

- | | |
|---|--------------------|
| 5. <u>Summary of RFP Schedule</u> | |
| Bidders Conference and Site Visit (10:00) AM) | September 17, 2009 |
| Issue Amendment to RFP (if necessary) | September 24, 2009 |
| Response to RFP Due at Town Hall (Friday at 10:00 AM) | October 2, 2009 |
| Tentative date for Wareham Town Meeting | October 26, 2009 |

XIV. Instructions to Developers

1. Each Developer shall submit one original proposal and eight (8) paper copies of the proposal, and one (1) electronic copy on a CD-ROM, on or before Friday at 10:00 AM, October 2, 2009 to:
 - Board of Selectmen
 - c/o John Sanguinet, Interim Town Administrator
 - 48 Marion Road
 - Wareham, MA 02571

2. The proposals will be opened and recorded at this time. No proposals submitted after this time will be accepted. Proposals must be submitted in writing in a sealed envelope clearly marked **“Westfield Affordable Housing Proposal, Wareham Board of Selectmen”**. Responses to the RFP must include all required documents, completed, and signed per the instructions and attached forms included in this RFP package. Electronically mailed (e-mailed) proposals will not be accepted and will be deemed non-responsive and will not be evaluated.

3. The BoS reserves the right to reject any or all proposals or to cancel this RFP, if it is in the best interest of the BoS. The BoS makes no representations or warranties, express or implied, as to the accuracy and/or completeness of the information provided in this RFP. This RFP (including all attachments and supplements) is made subject to errors, omissions, prior sale, or financing, withdrawal without prior notice, and changes to, additions to, and different interpretations of laws and regulations.

4. If any changes are made to this RFP, an addendum will be issued. Each addendum will be mailed or faxed to all persons on record as having requested the RFP.

XV. Selection Process

1. All proposals submitted by the proposal filing deadline set forth under Section V above (“Proposal Process”) will be opened in public and recorded. All information contained in the proposals is public. The BoS will review and evaluate all proposals received by the Proposal Filing Deadline.

2. Interviews with Developers who have submitted proposals that meet the minimum criteria and the highest overall score and ranking as described in Section IV (Evaluation Criteria) will be conducted, if necessary, or desirable, by the BoS.

3. Following the interviews, reference checks, site visits and receipt of any additional information requested of the Developers by the BoS, proposals will be evaluated and rated by the BoS according to the comparative evaluation criteria set forth in this RFP. The BoS will select the most advantageous proposal, taking into consideration all of the evaluation criteria set forth in this RFP. The BoS will notify all Developers in writing of its decision.

XVI. Exhibits

<u>Exhibit</u>	<u>Description</u>
A	Location of Town Land on Charlotte Furnace Road
B.	Preliminary Site Plan of Existing Conditions
C.	Preliminary Plans of Existing Conditions
D	Zoning Map
E	Town Water Map
F	Town Sewer Map
G	Disclosure of Beneficial Interest
H	Certificate of Tax Compliance
I	Certificate of Non-Collusion
J	Proposed Form of Lease

EXHIBIT A

Location of Town Land on Charlotte Furnace Road

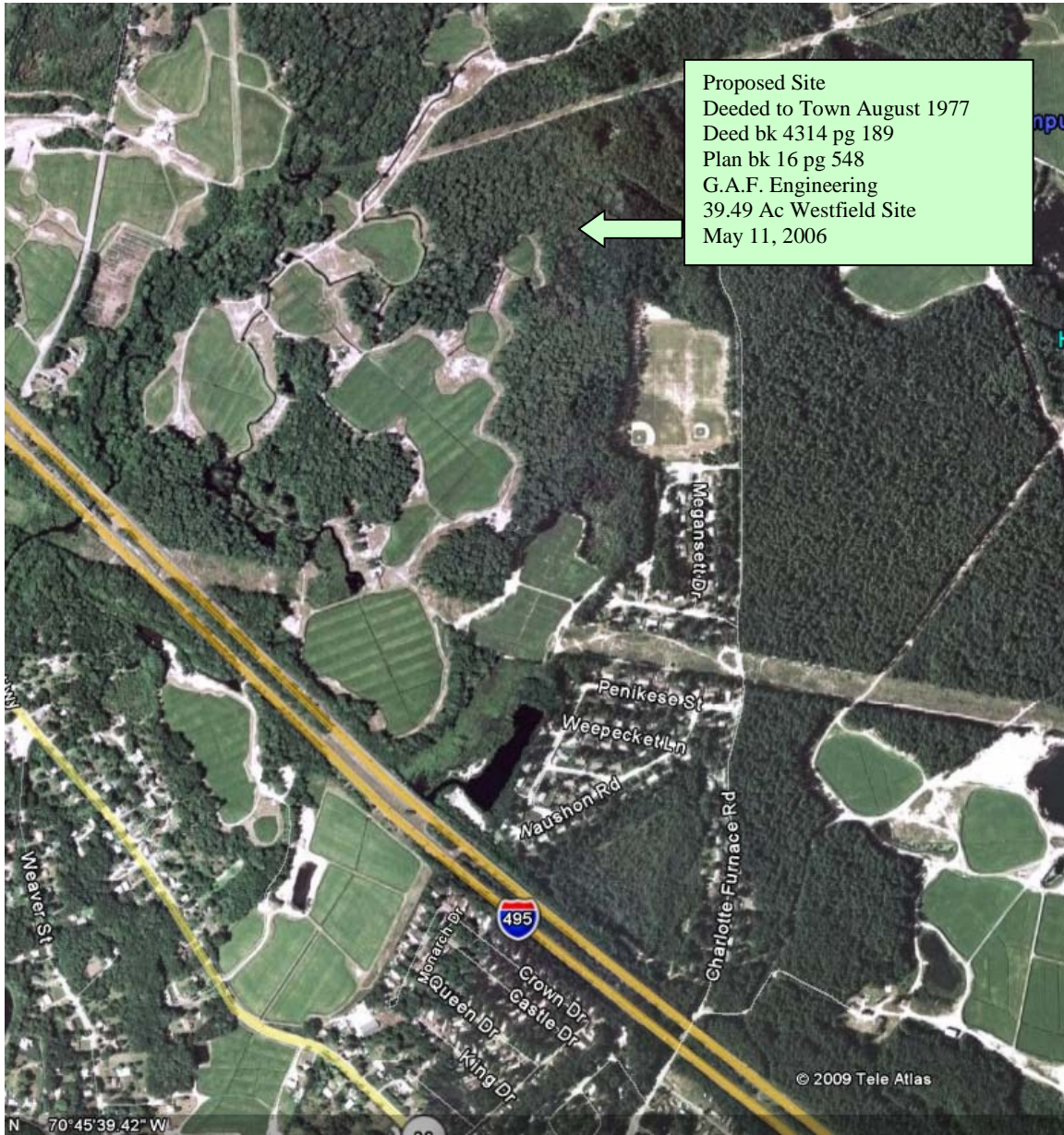
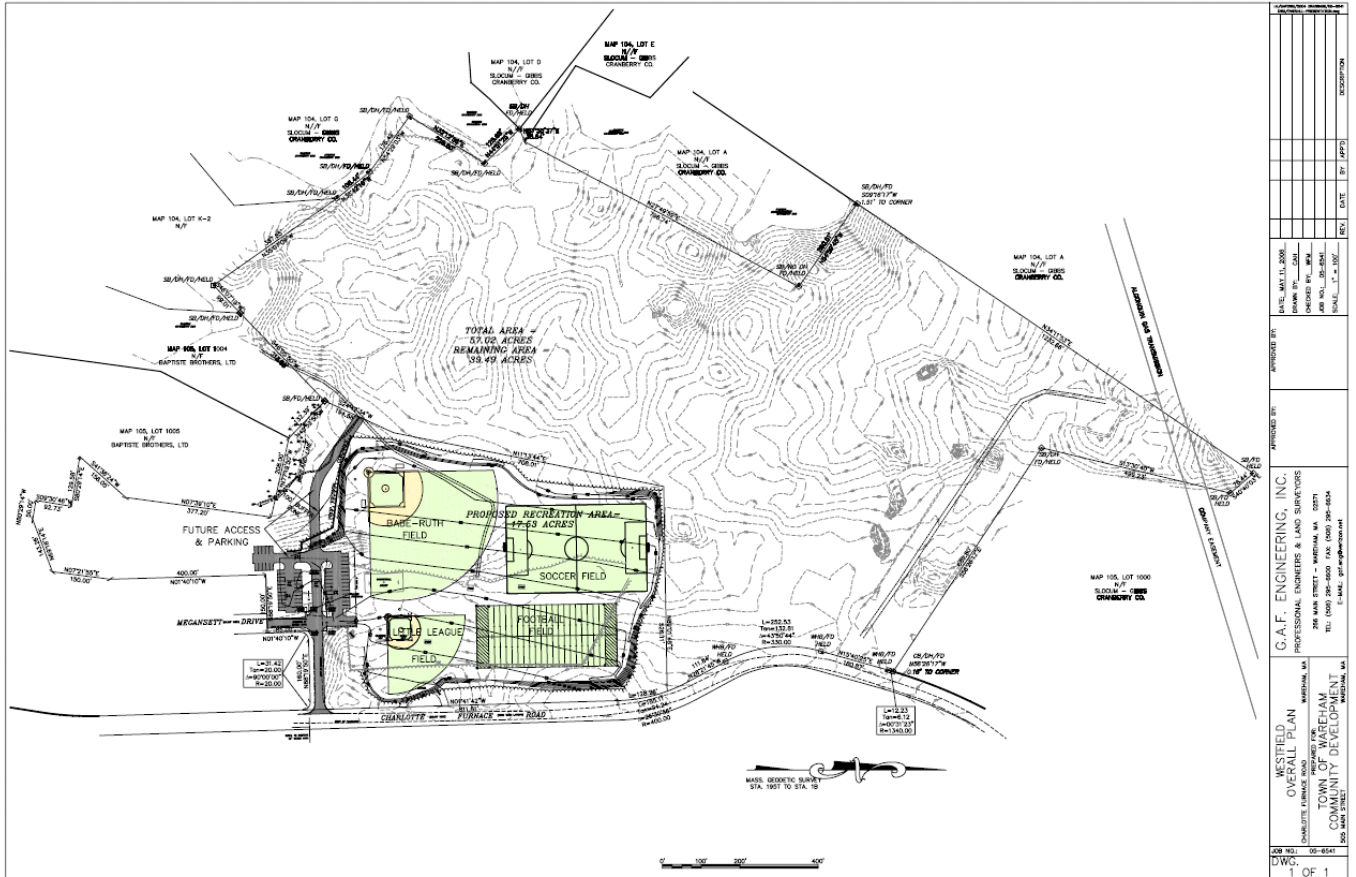


EXHIBIT B

PRELIMINARY SITE PLANS OF EXISTING CONDITIONS

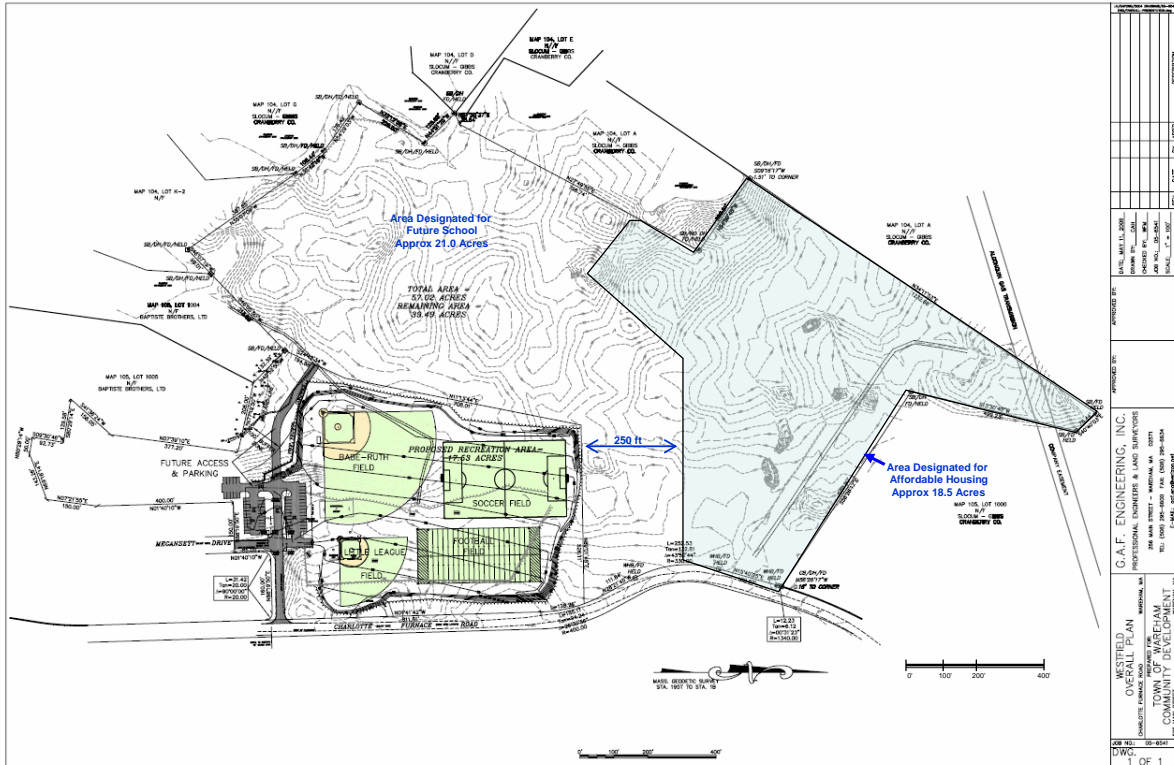


DATE: MAY 11, 2009	APPROVED BY:	G.A.F. ENGINEERING, INC. PROFESSIONAL ENGINEERS & LAND SURVEYORS 200 MAIN STREET - WAREHAM, MA 02071 TEL: (508) 795-3500 FAX: (508) 795-6534 E-MAIL: gar@gafe.com
DRAWN BY: CDR	PROVIDED BY:	
CHECKED BY: MFL		
DATE: 11-2-00		
DATE: 11-2-00	REV: 1	DESCRIPTION:
DATE: 11-2-00	REV: 2	DESCRIPTION:
DATE: 11-2-00	REV: 3	DESCRIPTION:
DATE: 11-2-00	REV: 4	DESCRIPTION:
DATE: 11-2-00	REV: 5	DESCRIPTION:
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EXHIBIT C

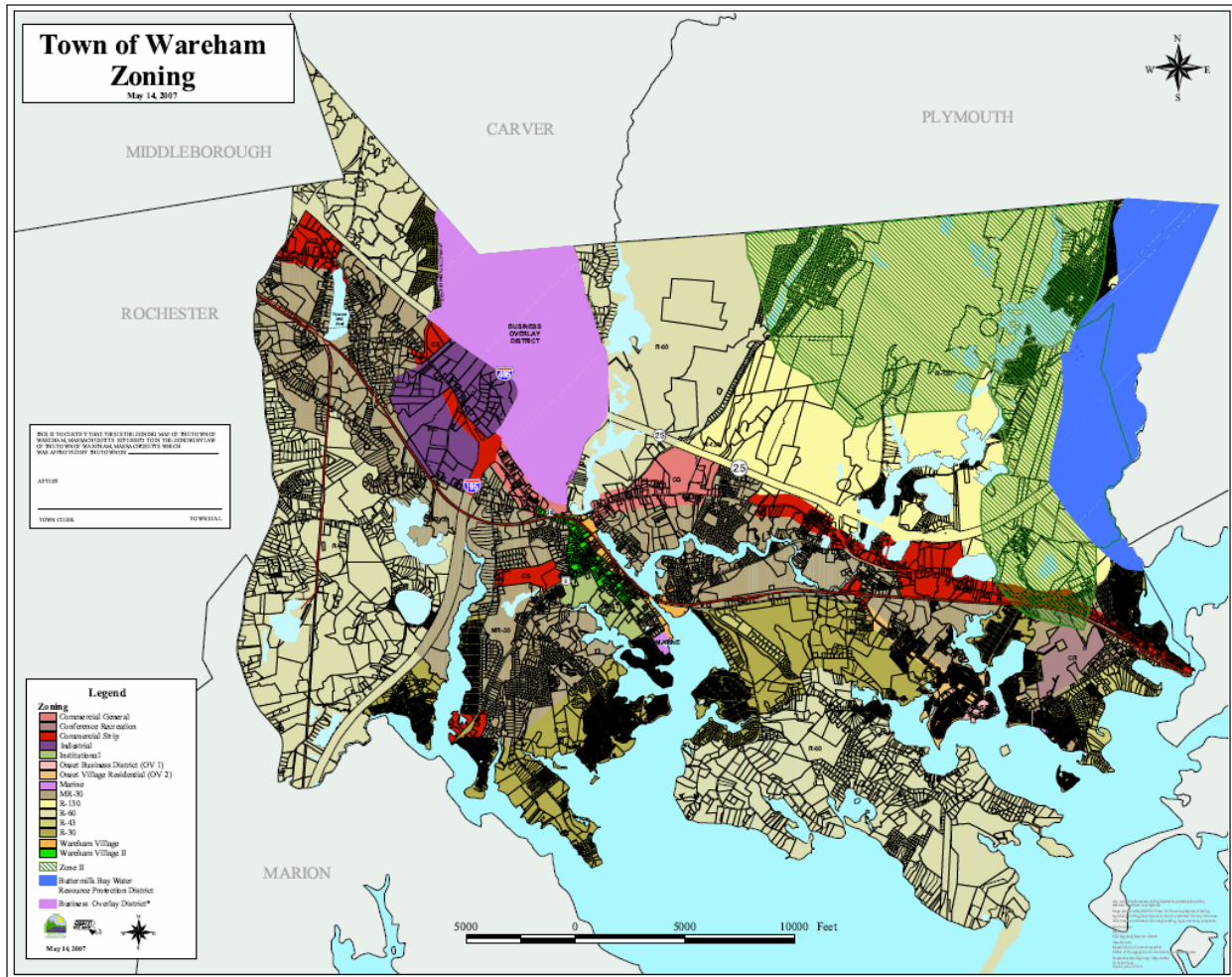
PRELIMINARY SITE PLANS OF EXISTING CONDITIONS

Exhibit C PRELIMINARY SITE PLANS OF EXISTING CONDITIONS



DATE	11/11/09
SCALE	AS SHOWN
PROJECT	WESTFIELD OVERALL PLAN
CLIENT	TOWN OF WESTFIELD
DESIGNER	G.A.F. ENGINEERING, INC.
PROFESSIONAL ENGINEER & LAND SURVEYOR	
REGISTERED IN MASSACHUSETTS	
NO. 10418	
ADDRESS	200 MAIN STREET - WESTFIELD, MA 01097
PHONE	(413) 338-5555 FAX (413) 338-5554
EMAIL	info@gaf-engineering.com
PROJECT NO.	10418
DATE	11/11/09
SCALE	AS SHOWN
PROJECT	WESTFIELD OVERALL PLAN
CLIENT	TOWN OF WESTFIELD
DESIGNER	G.A.F. ENGINEERING, INC.
PROFESSIONAL ENGINEER & LAND SURVEYOR	
REGISTERED IN MASSACHUSETTS	
NO. 10418	
ADDRESS	200 MAIN STREET - WESTFIELD, MA 01097
PHONE	(413) 338-5555 FAX (413) 338-5554
EMAIL	info@gaf-engineering.com

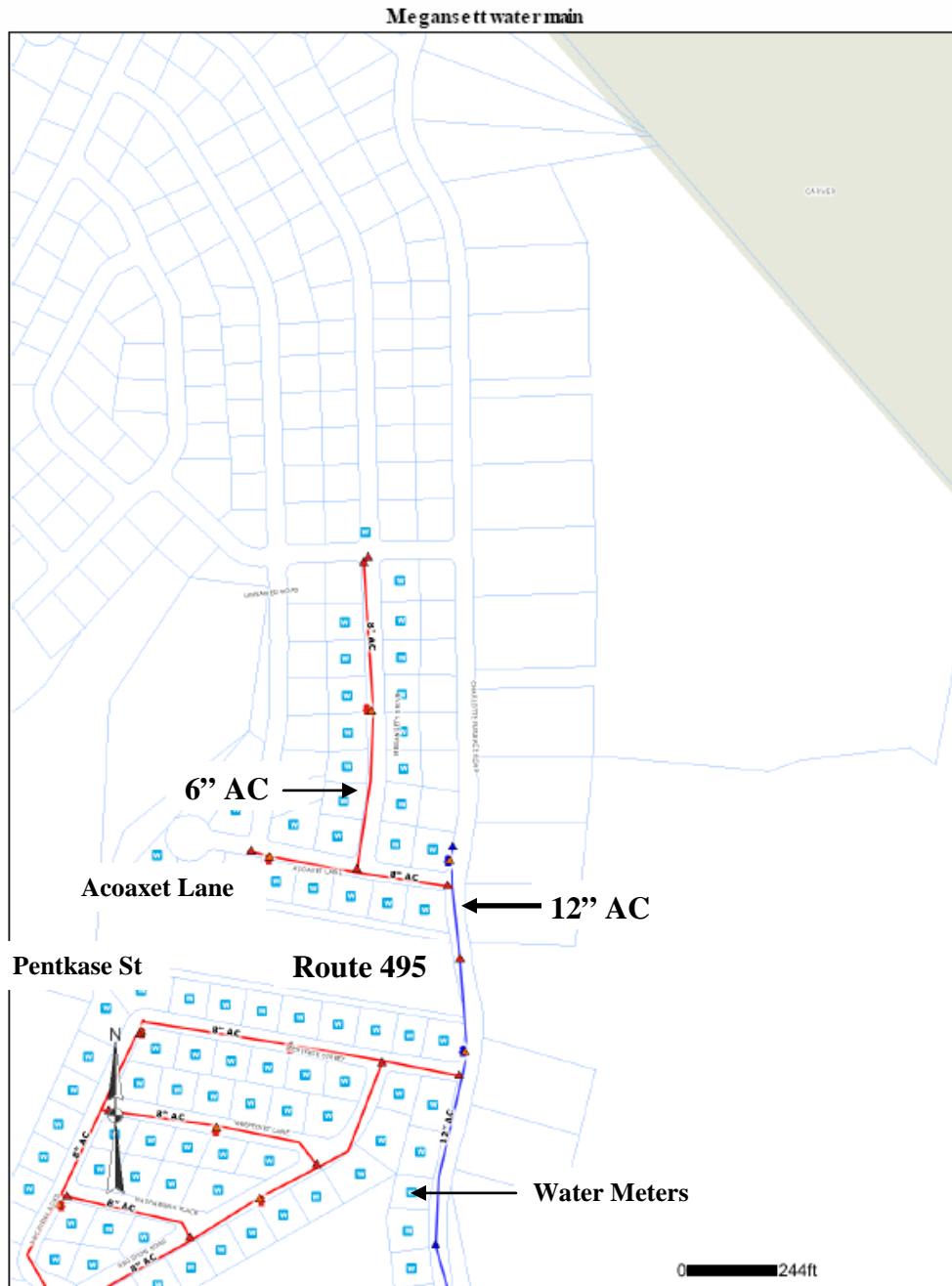
EXHIBIT D Zoning Map



Zoning Map Available at:

http://www.wareham.ma.us/Public_Documents/WarehamMA_Planning/final%20zoning051407.pdf?FCItemID=S010167EA

EXHIBIT E
TOWN WATER MAP



Distance of Proposed 12" AC Water line from Northern side of 495 to point within site: 2,500 linear feet

EXHIBIT F
TOWN SEWER MAP

Available from Town Sewer Department
Tonys Lane
Wareham, MA 02571
(508)295-6144

EXHIBIT G

DISCLOSURE OF BENEFICIAL INTEREST FORM

TO THE WAREHAM Board of Selectmen (BoS)

The undersigned, acting as the duly authorized representative(s) of _____ (Developer), hereby represents that the Developer has carefully examined the Request for Proposals (RFP) for Westfield Site (the Project). The Developer hereby proposes to purchase or lease the Site from the Wareham Board of Selectmen in accordance with the enclosed response to the RFP (Proposal). The undersigned is authorized to submit this Proposal on behalf of the Developer, to enter into a contract(s) with the BoS to purchase or lease and redevelop the Site, from the BoS as evidenced by the attached documentation.

The undersigned also hereby declares that the Developer makes this Proposal without any connection with any other persons or entities making any other Proposal for the Site; that no person acting for, or employed by, the Town of Wareham or the BoS is directly or indirectly interested or involved in this Proposal, or in any contract which may be made under it, or in expected profits to arise therefrom; that the Proposal is made without directly or indirectly influencing or attempting to influence any other person or corporation to submit or to refrain from submitting a Proposal or to influence the Proposal of any other person or corporation; and that this Proposal is made in good faith. The undersigned declares that this Proposal is based solely on the Developer's own investigation and research and not in reliance upon any plans, surveys, measurements, dimensions, calculations, estimates or representations of any employee, officer, or agent of the BoS.

The undersigned certifies on behalf of the Developer that the terms of the Proposal have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such terms with any other Developer or with any competitor; the terms of the Proposal have not been and will not be knowingly disclosed, directly or indirectly, by the Developer prior to the official opening of such Proposal, to any other Developer or to any competitor; no attempt has been made and none will be made by the Developer to induce any other person, partnership, or corporation to provide or not to provide a submission for the purpose of influencing competition; and that no person or selling agency has been employed or retained by the Developer to solicit or secure selection under the RFP or award of this development opportunity on the understanding that a commission, percentage, brokerage, contingent or other fee would be paid to such person or selling agency.

Name of Developer: _____

Type of entity: _____

Developer's address: _____

Developer's email address: _____

Telephone _____ Facsimile _____

Signature of Authorized Representative _____

Name Printed: _____

Title: _____

[attach evidence of BoS]

EXHIBIT H

CERTIFICATION OF TAX COMPLIANCE

CERTIFICATION OF TAX COMPLIANCE

Pursuant to M.G.L. C62C ss 49A, the undersigned certifies, on behalf of the Team and the individual members of the Team, under penalties of perjury that it has complied with all laws of The Commonwealth of Massachusetts related to the payment of taxes.

Signature of individual submitting this proposal

Name of Team

SS No. or FID No. _____

DUPLICATE OR MODIFY THIS FORM AS NECESSARY SO THAT IT ACCURATELY DESCRIBES THE ENTITY SUBMITTING THE PROPOSAL AND SO THAT IT IS SIGNED ON BEHALF OF ALL PARTNERS, MEMBERS, OR JOINT VENTURERS OF THE TEAM.

EXHIBIT I

CERTIFICATE OF NON-COLLUSION

The undersigned certifies under penalties of perjury that this bid or 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.

Name of Business

Signature of Individual Corporate Name

Signature of individual submitting bid or proposal

Social Security Number or Federal Identification Number

EXHIBIT J

PROPOSED FORM OF
LEASE
TO BE UTILIZED IN CONNECTION WITH
THE EXPANSION OF WESTFIELD SITE
FOR
AFFORDABLE HOUSING DEVELOPMENT

(See Attachment)

