



WAREHAM BOARD OF SELECTMEN

**REQUEST FOR PROPOSALS
FOR PHASE 1 (Number of units to be determined by Developer with
approval of the Board of Selectmen)
DISPOSITION OF REAL PROPERTY FOR THE DEVELOPMENT OF
SENIOR AFFORDABLE HOUSING at the WESTFIELD SITE,
WAREHAM, MA**

June 20, 2012

2012

- **PHASED DEVELOPMENT**
- **SEWER CLARIFICATION**

Executive Summary

The Town of Wareham, through its Board of Selectmen and Westfield Study Committee, encourages developers to respond positively to this Request for Proposal. The Town presents this Request for Proposal in good faith and understands there may be some areas that responders may want to see modified. The Town encourages conversation where those issues may arise.

The Town believes there is a need for senior affordable housing for the senior residents of Wareham and beyond. The Town is willing to contribute 17 acres of land on Charlotte Furnace Road, referred to as Westfield, to help address this need. In addition the Board of Selectmen has committed to support a developer's request of the Wareham Community Preservation Committee for up to \$500,000 of additional support. The Selectmen will actively support this request at Town Meeting.

The information in this Request for Proposal is describing a project that will provide a minimum of 150 and a maximum of 280 total senior housing units. The Town encourages responders to propose a phased approach, if they believe phasing would be beneficial in the development of the project.

The Town believes you will find this Request for Proposal worthy of your attention and looks forward to receiving your proposals in early April.

Sincerely,

Town of Wareham Selectmen
Wareham Westfield Study Committee

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

Proposals Due: July 30, 2012 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 seventy five (175) affordable senior housing rental units as defined under Section V below in accordance with the terms and conditions of this Request for Proposals (RFP).

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 Sections 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 the 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 make no representation or warranty with respect to the Premises, including without limitation, the value, quality or character of the Premises or its fitness or suitability for any particular use and/or the physical and environmental condition of the Premises.

II. Need for Affordable Housing in Wareham

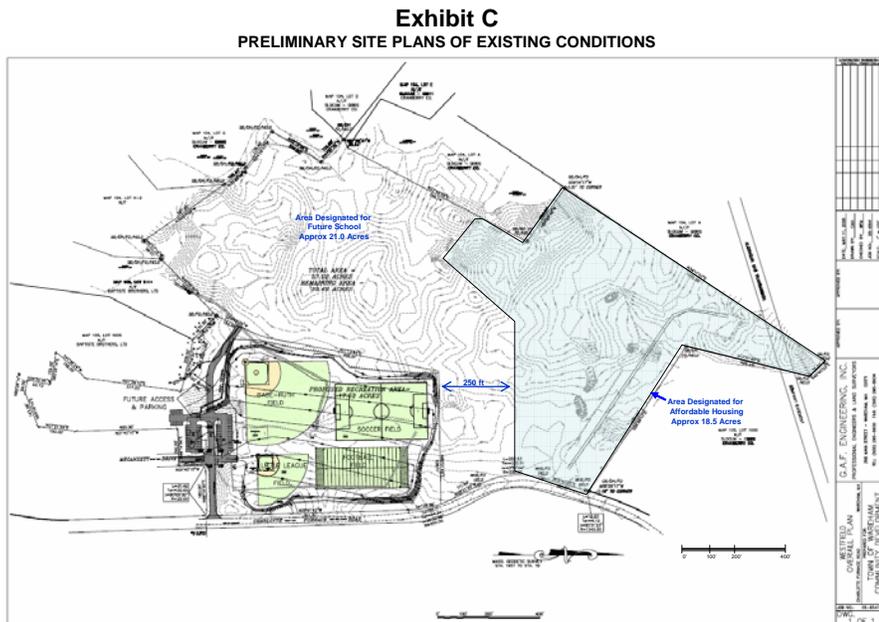
Wareham's year round population of 21,822 people occupies 12,256 housing units of which 57% are owner occupied with a median house value of \$212,494. 32.4% of the residents are over 55 years old and 49% of the owner occupied housing units make less than \$50,000 per year.

The primary target markets for the Westfield project are the 5,400 residents that are over 55 years of age and may 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 of more than 103 Senior Citizens who are 55 years of age or older and have incomes that are at or below 30% of area median income.

III. Description of the Premises

1. Location



The Premises is currently a vacant parcel of land owned by the Town of Wareham on the border 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.

The BoS is authorized to lease the land for the project as defined in Exhibit J.

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 Springborn pumping station.

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 the cost of installing sewer to the site.

The Springborne pump station can handle the flow from Westfield. We do caution the developer that the DEP stated that Westfield is out of the fill in area of the existing sewer when the CWMP was written and there for would require DEP approval to extend sewer to the Westfield project if we moved before all 12 areas in the CWMP were completed. That approval process would require a process of EIR.

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

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

1. The Water District suggests a 12 inch water main from the 495 overpass to the site (see Exhibit E).
2. CDM, the Sewer Commissioners' Consultant, suggests a 6 inch DI force main from the site to the Tobey Road Springborn 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 2010 census, Wareham is required to have 1,024 of their 10,237 housing units designated as affordable. Currently the Town has 754 affordable units or 7.6% and is therefore under the state mandated level of 10% by 280 units.

V. Description of the Project and Design Objectives

The Westfield project is envisioned to be a residential housing complex that provides affordable apartments and ancillary services to senior citizens who are 55 years of age and older. As a senior citizens complex, it should provide residential apartments that are 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 280 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 produce a mixed income development that maximizes the number of units that have rents equal to no more than 30% of the gross income for a household earning 30% of the Area Median Income including an allowance for normal utilities. In addition, the development should offer a diverse range of affordable rents that shall not exceed the affordability thresholds established by HUD or DHCD for a household earning 80% of the Area Median Income including an allowance for normal utilities.

d. Wareham Residency Preference

To the maximum extent 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, of at least 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. In addition, if allowed by a particular housing program, the local preference shall extend to eligible municipal/school department employees and employees of local businesses if requested by the Town of Wareham prior to submission of the final tenant selection Plan. This desire to set the local preference target of 70% is expected to be subject to the approval by DHCD and/or other financing agencies.

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 a designated area four times a day with the exception of weekends and holidays.
- ii. A suitable private vehicle and driver must be offered to provide residents transportation for shopping, medical appointments, and other reasonable needs.

f. Description of each unit

- i. 5% of the units are to provide full handicap access. Some of the remaining units must be constructed to be adaptable in the future.
- ii. Each unit will have a full private bath.
- iii. Residents bring in their own furnishings and may decorate their unit as they wish.

g. Common Living Areas

Common areas are to be located as 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 senior 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
Minimum of one parking space per bedroom, plus adequate additional parking for staff and visitors 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 an appropriate amount of square feet to accommodate the residents that is either detached, or attached to the residential units. The building will also include appropriate kitchen facilities and media outlets to accommodate internet, cable TV and entertainment.
- 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 — Developer shall set aside an appropriate site to serve as an onsite garden. This site shall be at least 1000 square feet, have an onsite water source, have a tool shed for storage of gardening implements and have nearby parking.
- 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.
- t. Baseball Fields Rehabilitation shall be defined as meeting the standards of the National Babe Ruth and National Little League organizations.

- u. In the event that the proposed amenity and recreational improvements are deemed to be a project or projects falling within the scope of G.L. c. 30, s. 39M, or other public bidding law, the Town at its sole option, may elect to receive payment from the developer for the cost of the required improvements. The payment amount shall be established by a panel of three cost estimators, one chosen by the Town, one chosen by the developer, and a third to be chosen by the estimators chosen by the Town and the developer. The developer shall bear the cost of the estimators.

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 any alternative energy sources.

VII. Town Financial Contribution to the Project

To support the goals of this Project, the BoS will support the Developer’s proposal to the Community Preservation Committee (CPC) for approval by Town Meeting of a financial contribution to the project in the range of \$200,000 to \$500,000. **BOS to submit article for Fall Town Meeting to potential encumber funds from CPC - \$200,000 - \$500,000**

VIII. 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 approved by the BoS 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. The Town wants to clarify that the project likely will be permitted via a LIP Comprehensive Permit or similar process so that the units will be included in the Town’s Subsidized Housing Inventory.

IX. 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 BVW line using current methodology.

X. Terms, Conditions, and Restrictions of Use

The Terms and Conditions of a proposed lease must substantially meet the requirements of Section V 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 senior affordable rental housing in compliance with all legal and regulatory requirements. Unless otherwise expressly set forth in the lease 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 lease agreement shall be subject to approval by the BoS.

c. Proposal to Lease the Premises

The BoS contemplates entering into a **99 year** lease agreement with the Developer in a form similar to that shown in the Proposed Form of Lease (Exhibit J). 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 management firm, the selection of whom, and all subsequent property managers, shall be subject to the BoS's approval. The property management firm shall have at least three (3) years of experience managing senior affordable rental housing and shall have offices in the Commonwealth of Massachusetts. The Developer is strongly encouraged to provide a sample management agreement.

e. Service Level Agreement

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 Agreements ("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

The Town encourages the project to be developed in phases. In order to secure funding and/or verify market demand the Developer 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 Lease 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 DHCD 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. General Development Costs include but are not limited to the 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 property management 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 and approval.
- 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 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/Payment Bond/Fidelity Bond -- The Developer must require that the contractor provide a performance bond and a payment bond or letter of credit equal to 100% of the cost of construction. In addition the Property Management Firm must provide a fidelity bond equal to the statutory requirement in accordance with the town's direction.
- 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.
- p. RFP Costs -- The BoS is not obligated to pay, nor shall in fact pay, any costs or losses incurred by any applicant at any time including the cost of responding to the RFP.

2. Obligation to Act 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. Deed Restriction to Senior Affordable Housing

Under the terms of the Lease, a deed restriction will be placed on the property preserving the use of the Premises as senior affordable housing in perpetuity.

7. 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 and the Lease. The Developer shall apply for and obtain all approvals and permits required for the Project.

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. Conceptual site plan
 - b. Conceptual building specifications and building elevations
 - c. Proposed unit configuration
 - d. Project and development schedule indicating dates when phases are to be completed
 - e. Conceptual plans to provide water, sewer, electric, gas and any other utility to the site including cost estimates
3. Developer Information:
 - a. Description of the Developer's prior housing development experience (particularly senior affordable housing developments) and three (3) references to comparable projects, including up to date contact information. 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 Stop DHCD 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 DHCD application may be used, but is not required if information is provided in a similar format).
 - a. Sources and uses of funds in a similar format as the One Stop DHCD Affordable Housing Finance Application, page A-1.
 - b. Rent profile analysis presented in a similar format as the One Stop DHCD Affordable Housing Finance Application page A-2.
 - c. Operating pro forma presented in a similar format as the One Stop DHCD 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 DHCD application is used, this information is included in pages A-3 to A-7.)
5. Property Management Firm Information (may be combined with the Developer information if the same party):

Description of the Property Management Firm's prior housing management experience and three (3) references to comparable projects as well as up to date contact information.

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 senior affordable housing,
 - c. Certification of compliance for all state and local taxes,
 - d. Statement of intention to lease the Premises,
 - e. Plans to provide water, sewer, electric, gas and any other utility 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, and
 - 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 senior affordable housing project:
 - a. Senior housing for age 55 and over.
 - b. Senior 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.
 - 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 but not limited to any 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 senior 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 and committees, 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.
 - b. An Advantageous rating will be given to a proposal that in the judgment of the evaluators presents an average proposed design to provide water and sewer to the site.
 - 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 development of the fields, 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 the above 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 the above factors.
10. Baseball Fields
- a. One (1) field according to National Babe Ruth standards and one (1) field according to National Little League standards.
 - b. 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; anticipates and addresses likely design requirements of public agencies; complies with “green design standards” defined in the RFP observes careful site planning; and analyzes zoning and regulatory changes required, and the ability to file and defend applications for such changes.
 - c. 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 the above factors.

- d. 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 the above factors.

11. 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 the above 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 the above factors.

12. Property Management

- a. A Highly Advantageous rating will be given to a proposal that in the judgment of the evaluators presents a superior property management plan to ensure that the BoS has the most flexibility to ensure the property management firm 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 property management plan to ensure that 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 property management plan to ensure the management company operates at the average standards.

13. 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.

14. 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 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 Foster, Town Administrator, 54 Marion Road, Wareham, MA 02571, 508-291-3100 ext. 3107, Email: jfoster@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 two business days. If you receive a 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 **July 11, 2012**. 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 bidder’s 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 Foster, Town Administrator
54 Marion Road
Wareham, MA 02571
508-291-3100 ext. 3107
Email: jfoster@wareham.ma.us

4. Communication with the Town

Developers are strongly encouraged to read the materials carefully and submit all questions in writing to Board of Selectmen c/o John Foster, 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 11, 2012 and in the form of written addenda by July 18, 2012, 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 Foster, Town Administrator, Memorial Town Hall, 54 Marion Road, Wareham, MA 02571, 508-291-3100 x 3107. Email: jfoster@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 Foster, 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. Summary of RFP Schedule

Bidders Conference and Site Visit (10:00) AM)	July 11, 2012
Issue Amendment to RFP (if necessary)	July 18, 2012
Response to RFP Due at Town Hall (By 10:00 AM)	July 30, 2012
Tentative date for Wareham Town Meeting	October 22, 2012

XIV. Instructions to Developers

1. Each Developer shall submit one original proposal and twelve (12) paper copies of the proposal, and one (1) electronic copy on a CD-ROM, on or before Friday at 10:00 AM, July 30, 2012 to:

Board of Selectmen
c/o John Foster, Town Administrator
54 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 CHARLETT FURNACE ROAD



EXHIBIT B

**PRELIMINARY SITE PLANS
AND PHASING**

EXHIBIT C

EXISTING CONDITIONS

EXHIBIT D

**ZONING MAP AND ZONING BY-LAW
USE TABLE**

EXHIBIT E

WATER LINES AND WETLANDS

EXHIBIT F
TOWN SEWER MAP

EXHIBIT G

DISCLOSURE OF BENEFICIAL INTEREST FORM

TO THE WAREHAM Board of Selectmen (BoS)

The undersigned, acting as the duly authorized representative(s) of _____ (the 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: _____

Developer's Telephone Number: _____ FAX: _____

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)

EXHIBIT K

SEWER DEPARTMENT CERTIFICATION OF SYSTEM CAPACITY