



Town of Wareham

Request for Proposals Lease of 8 Elm Street Wareham STEEL SPACE BUILDING

Your participation is invited with regard to the Lease of 8 Elm Street, Wareham. This property is described on Exhibit A. In order for your submission to be considered responsive this original document as well as three (3) duplicate copies of your proposal must be delivered prior to the time and at the place indicated below. The Town of Wareham assumes no liability for proposals mistakenly opened due to improperly labeled envelopes and will return the same to the bidder without notice. (It is strongly suggested that proposal documents be sent via carriers other than first class mail and should be placed in properly labeled and sealed envelopes prior to being placed in the carrier packaging in order to avoid premature opening.)

Sealed proposals for the Lease of 8 Elm Street, Wareham for a period of five (5) years with a possible five (5) year extension shall be received at the office of the Town Administrator. Proposals shall be received at the office of the Town Administrator in Memorial Town Hall, 54 Marion Road, Wareham, MA 02571, until 2:00 p.m. o'clock, on Monday, December 17, 2018. Phone Calls, telegrams, postmarks, etc. shall not be considered. Proposals not submitted on original forms shall be deemed non-responsive. **Proposals must be made in a sealed envelope clearly marked "LEASE OF 8 Elm Street, Steel Space Building, Wareham - 2:00 p.m. o'clock, on Monday, December 17, 2018."** The Town of Wareham assumes no liability for proposals mistakenly opened due to improperly labeled envelopes and will return the same to the proposer without notice.

Specifications may be obtained from the Office of the Town Administrator at the above address on or after Monday, November 12, 2018 and at www.wareham.ma.us under the "Bids & RFPs" section

There will be a non-mandatory on-site pre-proposal conference Monday, December 3, 2018, at 10:00 a.m. Please address all questions to the Town Administrator's office **in writing** no later than 12:00 p.m. Wednesday, December 5, 2018.

The Town of Wareham reserves the right to waive any informalities, to accept or reject, in whole or in part any and all proposals, or take whatever other action may be deemed to be in the best interest of the Town.

The Town of Wareham is an affirmative action, equal opportunity owner / purchaser.

I. Submission Requirements

The proposal must be submitted on this original proposal form, with three (3) duplicate copies. The proposal may be withdrawn or amended without prejudice between the time of submission and the time of opening. All bids amounts will be considered firm and may not be withdrawn for a period of no less than sixty (60) days from the date of opening, unless stated otherwise.

Proposals shall be made in a sealed envelope clearly marked "**LEASE OF 8 Elm Street, Steel Space Building, Wareham - 2:00 p.m. o'clock, on Monday, December 17, 2018**". In the event that Town Hall is closed due to any reason, including but not limited to inclement weather, proposals will be opened at the same time and place on the next week day that Town Hall is in operation. The Town of Wareham assumes no liability for proposals mistakenly opened due to improperly labeled envelopes and will be returned to the proposer without notice.

Where the word "signed" appears, it refers to the hand written signature of the individual authorized to execute the contract and where applicable the corporate seal must be affixed. Proposals "signed" by any way other than described here will be considered non-responsive.

Certificates of insurance must be submitted within five (5) business days of the request from the Town (Also see Section VII, "Insurance").

Signed (and sealed when applicable) certification that the proposer has not colluded with any other party in the preparation and submission of his/her proposal.

Signed (and sealed when applicable) certificate of indemnification to save harmless the Town of Wareham for all damages to life and property due to his/her negligence or that of his/her sub-contractors, etc. during the term of this contract (use form attached).

Signed (and sealed when applicable) certification that the proposer has paid all State taxes due (use form attached).

Signed and sealed certification of vote (for use by Corporations). Proposers may submit their own certificate of corporate vote.

List of three (3) references from other communities.

II. Contract Document

The contract documents will consist of all forms as attached hereto. In addition, the following documents will be included:

1. All submissions required by Sect. I "Submissions"
2. Any RFP addendum
3. Notification of Intent to Award
4. Contract/Lease Agreement
5. Any other documents by mutual agreement of the Town and successful bidder

III. Term of Contract/Lease

It is anticipated that this lease will be awarded within thirty (30) days after the proposal opening.

The lease for the property located on 8 Elm Street Wareham, will be for a five (5) year period with a possible five (5) year extension. Please see attached Assessors property sheets for further information on the property.

All bids for this project are subject to applicable public procurement laws of M.G.L. Chapter 30B.

IV. Minimum Criteria

1. The Lessee shall state in writing as a portion of this proposal what he/she plans to do to renovate the space.
2. The Lessee shall state in writing as a portion of this proposal his/her levels of employment and hours of proposed operation.
3. The Lessee shall state in writing as a portion of this proposal his/her intent to use the site for deliveries, parking and other outdoor space needs.
4. The Lessee shall provide in writing a representative listing of his/her experience, of his/her business, including the period of time the business has been in operation.
5. The Lessee shall provide in writing a description of the background of the individual who will be responsible for the daily operation.
6. The Lessee shall provide a business plan fully describing the business and financial projections.
7. The Lessee shall describe the potential environmental and safety impacts and methods for mitigation and management of impacts.

A RESPONSIVE PROPOSAL MEETS ALL OF THE FOLLOWING CRITERIA:

1. Answers all questions as may be required by this request for proposals.
2. Executes and includes all forms and certifications required by Sect. I "Submission Requirements".
3. Includes an original narrative statement addressing items 1 through 6 in Section IV above.

A RESPONSIBLE proposer meets all the following criteria:

1. Provides no less than three (3) favorable references from other communities.
2. Provides current financial information.
3. Provides a detailed business plan.
4. Provides a certain number of days and times [not less than 5 events] per year when public events may use parking and certain site areas designated for the Lessee.

V. Price Proposal

The prospective Lessee shall pay a "market rate" rent for the premises. The term rent for Year 1 of the Lease shall be a minimum of Eighty-Four Thousand Dollars (\$84,000.00), payable in monthly payments of \$7,000.00. There is expected to be an escalator of five percent (5.0%) in each subsequent year, including the Option period. In addition, the tenant is expected to pay:

1. All Utilities
2. Personal property taxes on installed equipment;
3. Fees in accordance with Town By-Law or State Law.

The proposer is required to submit a price proposal stating the rent desired using the form in Section XIV.

VI. Comparative Evaluation Criteria

The following Comparative Evaluation criteria will be used to rank all proposals:

1. Price Proposal. Price will not be the sole basis of the award for this contract but shall be a key consideration. Proposers offering a rent amount greater than the minimum amount cited in V. above will receive a rating of “Advantageous” compared to the “Acceptable” rating to those meeting the minimum. Those proposals providing financial benefits with other fees and/or donations beyond the minimum amount cited in V. above shall be considered “Highly Advantageous”.
2. Minimum Criteria. Proposals that meet the Minimum Criteria of Section IV. Will be considered “Advantageous”. Proposals considered to be high quality and going above and beyond the Minimum Criteria of Section IV. Shall be considered “Highly Advantageous”.
3. Organization Stability. Firms or organizations that have been established for five (5) or more years will be rated “Advantageous” to those established for less than five years, who will receive an “Acceptable” or “not Advantageous” rating.
4. Key Leadership. Proposers who have at least one key leader (an individual with one or more types of principal responsibilities for ongoing operations) that have been part of the firm or organization for five (5) or more years will be rated “Advantageous”, those that have been part of the organization for less than five years but more than two years will receive an “acceptable” rating, and those for more than one but less than two years will receive a “Not Advantageous” rating.
5. Employment Opportunities. Proposers who project that at least twenty new, full-time equivalent positions will result within twelve months from the occupancy of the premises will be rated “Highly Advantageous”. Proposers who project that less than ten full-time equivalent positions will be added will receive a “Not Advantageous” rating.

VII. Pre-Proposal Conference

There will be an on-site, non-mandatory, pre-proposal conference Monday, December 3, 2018, at 10:00 a.m. Prospective proposers requesting a change in or interpretation of existing specification or terms and conditions must deliver said request for change or interpretation **in writing** to the Town Administrator no later than 12:00 p.m. Monday, December 5, 2018.

Derek D. Sullivan
Town Administrator
54 Marion Road, Wareham, MA 02571
(508) 291-3100 EXT. 3110
(508) 291-3124 FAX
administration@wareham.ma.us

VIII. Insurance

Commercial General Liability Insurance – Contractor is to maintain Casualty Insurance as follows:

Commercial General Liability Insurance with an insurance company qualified to do business in the Commonwealth of Massachusetts and acceptable to the Town, providing a limit of liability of not less than \$1,000,000 per occurrence and general aggregate. Such insurance is to include the following extension of coverage.

1. Contractual Liability - \$500,000 per occurrence
2. Premises Operation Liability - \$500,000 per occurrence
3. Independent Contractors Liability - \$500.00 per occurrence
4. Explosion, Collapse and Underground Property Damage
5. Personal Liability - \$500,000 per occurrence
6. Products Liability - \$500,000 per occurrence

Workmen's Compensation Insurance – The contractor shall furnish the Town with certificates of insurance showing that all his/her employees who shall be connected with this work are protected under Workmen's Compensation Insurance Policies.

1. Coverage A – Massachusetts
2. Coverage B - \$500,000 per insuring agreement

The Town of Wareham is to be included as an additional insured under contractor's policies of general liability insurance for claims arising out of the activities of the contractor, or anyone acting in conjunction with the contractor. Prior to the commencement of the work, contractor will cause to be delivered to the Procurement Office, Town of Wareham Certificates of Insurance evidencing the foregoing. The Certificates of Insurance are to provide that the Town of Wareham in care of its Procurement Officer shall be given as least 30 days advance notice of cancellation, intent not to renew, or material change in coverage.

Bidder hereby agree to save and hold the Town of Wareham, its agents, servants, and employees, Harmless from any and all claims arising out of the activities of contractor, its agents, servants, employees, and invitee or subcontractors.

IX. Affirmative Action

It is understood and agreed that it shall be a material breach of any contract resulting from this proposal for the proposer to engage in any practice which shall violate any provision of Massachusetts General Laws, Chapter 151B, relative to discrimination in hiring, discharge, compensation, or terms, conditions or privileges of employment because of race, color, religious creed, national origin, sex, age or ancestry.

X. Assignment of Contract

The successful proposer shall not sell, assign, transfer, or parcel out the permit hereby granted, nor consent, allow, or permit any other person or party to use any part of the premises or spaces covered by this agreement; nor shall this agreement be transferred by operation of law, it being the purpose and intent of this agreement that the rights and privileges under this agreement are granted solely to the proposer named herein.

XI. Specifications

Lessee shall be responsible for all the utility payments including electricity, gas, water and sewerage for lease period beginning with the commencement of the lease.

Lessee shall maintain the outside of both buildings and surrounding land immediately around the buildings this will include litter pickup.

Lessee shall obtain all applicable state and local permits required including meeting Board of Health requirements and obtaining a change of occupancy permit from the Inspection Department. The following names and numbers may be helpful to you:

Wareham Inspections Department	508-291-3100 EXT. 3190
Wareham Health Department	508-291-3100 EXT. 3198
Wareham Fire Department	508-295-2973

All exterior signs shall be in accordance with the Town of Wareham Zoning By-laws and shall be approved by the Town Administrator.

Renovations to the structure must receive **written pre-approval** from the Town Administrator. Lessee shall be responsible for obtaining and paying applicable fees for all required permits.

Lessee shall be responsible for payment of all taxes applicable to his/her business.

XII. Use Options

1. Light manufacturing/Warehousing/Distribution including but not limited to: (Electronic parts or equipment, paper goods, dry goods, sporting goods, craft products, clothing, home furnishings, garden equipment, house wares, antiques).
2. Entertainment/Event Space [maximum estimated capacity is 800].
3. Video production
4. Uses allowed by zoning (see Section XIII)

XIII. Allowed Uses / Activities

At the October 22, 2018 Wareham Town Meeting new zoning uses were approved and are awaiting approval by the Attorney General's office. These uses are:

- Health and athletic facilities
- Apartment in mixed use building
- Conference Center
- Hotel
- Light manufacturing
- Accessory food and beverage
- Marine connected use
- Artists' studios
- One [1] marijuana product manufacturing, but not including retail sales, dispensary or cultivation.

XIV. Contract Prices

The Proposer above-mentioned declares and certifies:

1. That said proposer has carefully examined the instructions, schedules, drawings, and specifications.
2. No plead or mistake in an accepted bid shall be available to the undersigned proposer.
3. Proposed Rental Amounts:

A. Proposed duration of lease: _____

Yearly Rent in Square Feet for
Steel Space Building: \$ _____

Rent total for duration of lease: \$ _____

Total Written Amount: \$ _____

B. Other fees or donations: \$ _____

Explanation:

Signature of Authorized Representative

Name and Title (Print or Type)

Company Name and Address

Date

Telephone

Fax Number

Corporate Seal Here (if applicable)

Signature of Authorized Representative

Name and Title (Print or Type)

Company Name and Address

Date

Telephone

Fax Number

Corporate Seal Here (if applicable)

**STANDARD HOLD HARMLESS AND INDEMNITY CLAUSE
FOR USE IN
LEASES, USE AGREEMENTS, PROCUREMENT CONTRACTS ETC.**

_____, its officers and members all through the
Legal Name of Bidder's Business Entity

signing of this document by an authorized party or agent, indemnify, hold harmless and defend the
Town of Wareham and its agents and employees from all suits and actions, including attorneys'
fees

and all costs of litigations and judgment of every name and description brought against the Town
as a result of loss, damage or injury to person or property by reason of any act by

_____, its agents, servants or employees.
Legal Name of Bidder's Business Entity

Authorized Signature

Name and Title (Print or Type)

Date

CERTIFICATION TO PAYMENT OF TAXES

Pursuant to G.L. c. 62C, §49A, I hereby certify that _____
Legal Name of Bidder's Business Entity

has complied with all laws of the Commonwealth of Massachusetts relating to the payment of taxes.

Signed under the penalties of perjury.

Date

Authorized Signature

Name and Title (Print or Type)

Building 3 : Section 1

Exhibit A

Year Built: 1976
Living Area: 15,200
Replacement Cost: \$620,464
Building Percent Good: 28
Replacement Cost Less Depreciation: \$173,700

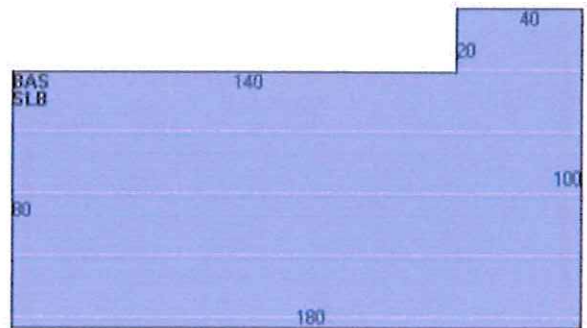
Building Attributes : Bldg 3 of 5	
Field	Description
STYLE	Pre-Eng Warehs
MODEL	Ind/Lg Com
Grade	Ave
Stories:	1
Occupancy	1
Exterior Wall 1	Pre-finish Metl
Exterior Wall 2	
Roof Structure	Gable/Hip
Roof Cover	Metal/Tin
Interior Wall 1	Minimal
Interior Wall 2	
Interior Floor 1	Concr-Finished
Interior Floor 2	
Heating Fuel	Gas
Heating Type	Flr Frn/Susp
AC Type	None
Bldg Use	INDUSTRIAL
Total Rooms	
Total Bedrms	00
Total Baths	2
1st Floor Use:	9030
Heat/AC	NONE
Frame Type	STEEL
Baths/Plumbing	AVERAGE
Ceiling/Wall	NONE
Rooms/Prtns	AVERAGE
Wall Height	20
% Comn Wall	0

Building Photo



(<http://images.vgsi.com/photos2/WarehamMAPPhotos/\00\00\09>)

Building Layout



Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	15,200	15,200
SLB	Slab Fndtn	15,200	0
		30,400	15,200

Untitled Map

Write a description for your map.

Legend

- 8 Elm St
- Feature 1
- First Congregational Church
- Little People's College
- Metal Building
- Mill Pond
- Mill Pond Diner
- Old Company Store
- Untitled Path

