

WAREHAM REDEVELOPMENT AUTHORITY REQUEST FOR PROPOSALS

for Real Estate Development Services

for Tremont Nail Factory, Wareham MA

ISSUED BY	Wareham Redevelopment Authority
CONTACT	Kenneth Buckland, Clerk kbuckland@wareham.ma.us
QUESTIONS DUE	January 13, 2021
PROPOSALS DUE	January 27, 2021
PRESENTATIONS	February 4, 2021
AWARD / CONTRACT	March 30, 2021



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1.0 REAL ESTATE DEVELOPMENT SERVICES NEEDED

This opportunity to provide the required services to the town, acting through the Wareham Redevelopment Authority as authorized by the Board of Selectmen, will be in two phases:

PHASE 1: MASTER PLAN DEVELOPMENT for a mixed recreation, hospitality, and commercial district under an **Exclusive Negotiation Agreement** with the Wareham Redevelopment Authority. The final Master Plan prepared in this phase must meet the Vision and the requirements of the Wareham Redevelopment Authority and the town and support the following goals:

- **Advance an economically feasible and buildable master plan** for a destination location that supports the socio-economic expectations of the town.
- **Create a sense of history and place** that successfully integrates existing and future development into a project that supports a vibrant community asset.
- **Develop efficient** infrastructure systems to support build out consistent with the proposed Master Plan.

PHASE 2: PROJECT DEVELOPMENT under a **Disposition and Development Agreement** (“DDA”). The Wareham Redevelopment Authority will negotiate the DDA with the selected entity, which may also be a joint venture, or some other form of partnership. Execution of the DDA will be contingent on Wareham Redevelopment Authority approval of the Master Plan that evolves during Phase 1. This will create the real version of the Vision.

2.0 OVERVIEW

The Wareham Redevelopment Authority (“WRA”), is seeking proposals from qualified real estate developers to implement the town **Vision** by providing master planning and real estate development services for 7+ acres of property at the Tremont Nail Factory; an historic [1819] complex of wooden factory buildings that produced cut nails as contemporary in the beginning and as historic replicas in more recent times.

Qualified firms and teams providing a full range of designer and development services are invited to submit their proposals by **4:00PM January 27, 2021** to:

Derek Sullivan, Town Administrator
Town Hall
54 Marion Rd
Wareham, MA 02571

Package should be labeled as “**TNF Master Developer**” and include two [2] signed paper copies and one digital copy on a thumb drive.

The Town reserves the right to waive informalities, to cancel this solicitation or to reject any and all proposals, if so deemed as to be the best interest of the Town. The Wareham Town Administrator will be the awarding and contracting authority on the Town’s behalf. The Town does not discriminate on the basis of race, color, national origin, sex, religion and disability in employment or provision of services.

The Town reserves the right to modify any requirements of this RFP if it is in the public interest.

3.0 MINIMUM QUALIFICATIONS

Qualified firms must have at least 3 [three] years of development experience and a portfolio that includes public-private partnerships and Massachusetts projects are preferred.

The qualifications statement should include descriptions of the firm or team, the resumes of the personnel available to work on the project and the firm's experience in historic renovations, cultural facilities, activity centers, and mixed use development projects. Given the nature of the project, qualifications will be evaluated on experience and knowledge of a broad range of design- and development-related services with preference given to the similarity of the firm's other past projects to the TNF project.

Evaluations will be made on quality of experience and successful completion and not just quantity.

4.0 SUBMITTALS

The following submission requirements represent the minimum information required to consider a proposal "responsive." Applicants may reorganize the minimum information provided below and may provide additional information where said information is relevant to the selection criteria provided in Section 6.0. The burden is on the Proposer to provide information in a manner that allows to the Town to clearly determine whether the application is complete, and the Town reserves the right to reject any proposal it deems unresponsive.

All information and forms submitted must be printed in at least two [2] hard copies and also copied to a thumb drive as .pdf documents, which shall be submitted with the hard copies.

Completed submission package shall consist of the following.

Format:

- A. One original and one hard copy of the Proposal must be submitted together with a thumb drive with an e-file [pdf] of the Proposal.
- B. Proposals must be submitted in a sealed envelope clearly marked "TNF Master Developer". The Town of Wareham assumes no liability for proposals mistakenly opened due to improperly labeled envelopes and will return same to proposer without notice.
- C. Where the word "signed" appears, it refers to the handwritten 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.
- D. Signed (and sealed when applicable) certification that the proposer has paid all State taxes due (use form attached).

WRA RFP for Real Estate Development Services

- E. Signed (and sealed when applicable) certification that the Proposer has not colluded with any other party in the preparation and submission of Proposer's bid.
- F. Signed and sealed certification of vote (for use by Corporations). (Proposers may submit their own certificate of corporate vote.)
- G. The proposal to the Town of Wareham shall remain valid for 90 days past the submission deadline, unless extended by mutual agreement. Proposals will be opened on the date, and at the time and place indicated. The name of each proposer shall be recorded. Proposals become public information when they are opened.

Narrative:

- A. COVER LETTER: A cover letter that includes the following:
 - 1. A list of personnel, name and title, who will be assigned to represent it in its dealings with the Town.
 - 2. The letter must be signed by the organization's duly authorized representative.
 - 3. Contact information: The name, contact person (phone number and address).
 - 4. Narrative description of proposer's organization and experience in completing a similar project.
- B. QUALIFICATIONS: List of qualifications of key personnel and team firms.
- C. REFERENCES: Provide at least three (3) references.
- D. FINANCIAL STRENGTH This project requires a Master Developer to make a significant long-term financial commitment. 1. Provide a description of prior financial commitments for projects of similar size and scope to Tremont Nail Factory, 2. Provide financial references with contact information for each of the projects described above. Audited Financial Statements will be required as part of the due diligence process involved in negotiating and signing a master planning agreement.
- E. PROPOSED MASTER PLAN APPROACH: Provide a detailed description of preparation of the proposed master plan and how it will relate to the Vision.
- F. COMMITMENT STATEMENT The WRA is interested in establishing a long term, financially sound relationship with a developer, which may be a Joint Venture with WRA and/or others, to complete the development at Tremont Nail Factory. Discuss your proposed involvement and long-term commitment. Tell us about any developments that your firm initiated or participated in but failed to complete, and why your firm was not able to complete the development. Your commitment statement shall include your proposed timeline between master planning engagement and execution of a DDA.
- G. EXPERIENCE: Proposer should demonstrate in the proposal the history of their experience including the experience of the principal(s) of the organization. Clearly define and clarify the experience your organization has with redevelopment of historic sites for mixed use.

5.0 PROCESS AND SELECTION

Proposal Due Date:

4:00PM January 27, 2021

Submitted to:

**Derek Sullivan, Town Administrator
Town Hall
54 Marion Rd
Wareham, MA 02571**

Questions Due Date:

January 13, 2021

Questions submitted in writing to the address above or via e-mail to:

Kenneth Buckland, Director of Planning and Community Development at the above address or at 508.291.3100 x6500 or kbuckland@wareham.ma.us

Response to Questions:

The Town will issue a formal response to all questions that were submitted in writing by January 14, 2021 and will make these responses publicly available at <https://www.wareham.ma.us/bids-rfps>

RFP Addenda:

The Town may issue addenda to this RFP as necessary in response to any new information, responses to questions, changes in conditions of the RFP, or other important information. Addenda will be made publicly available and will be posted on the town website at <https://www.wareham.ma.us/bids-rfps> The Town accepts no liability for and will provide no accommodations to Proposers who fail to check for amendments and/or modifications to this RFP and subsequently submit inadequate or incorrect responses.

Site Visits:

The Town of Wareham will host site visits/informational sessions starting at **10:AM January 11 and 12, 2021**. Attendance at any site visit hosted by the Town is not mandatory, but must be requested and reserved for one of those dates. Questions and subsequent answers to those questions will be made available to all interested parties.

Information:

The Town will post information, including any RFP Addenda, to the following site:
<https://www.wareham.ma.us/bids-rfps>

Chapter 30B:

All procurement activities conducted by the Town are in conformance with the rules and regulations of Massachusetts General Laws, Chapter 30B. Accordingly, all materials provided as part of any RFP response are available for public review.

Selection Process:

The Town Administrator and/or his designee[s] will evaluate proposals, with the assistance of such additional consultants or Town officials or employees as he shall deem warranted. The process shall rate all responsive proposals, evaluating the advantages and disadvantages of each. The Town Administrator as Chief Procurement Officer shall select the successful proposer, taking into consideration which proposal is in the best interest of the Town. The Town Administrator reserves the right to negotiate with the successful proposer as to the final terms and conditions of the agreement. Designation of a Master Developer shall be subject to the approval of the Wareham Town Administrator and then the Wareham Board of Selectmen.

A short-list of respondents will be interviewed by the WRA prior to execution of an agreement.

6.0 SELECTION CRITERIA

The Evaluation Committee will use the comparative criteria for each separate rating area, and based upon those criteria, will assign an overall rating to each proposal.

The Town of Wareham reserves the right to award leases to the Proposers for the proposals deemed to be the most advantageous to the Town, taking into account proposal quality, references and proposal price.

Criteria:

1. Understanding of the Town's Vision for the Site

Considerations: 1. Does the vision and strategy for providing master planning and development for Tremont Nail factory reflect a good understanding of the project requirements, opportunities, scope, complexity and challenges? 2. How does the firm perceive the role of the WRA? 3. Is the preliminary analysis provided reasonable and responsible; are the assumptions that analysis is based on accurate? 4. What are the advantages and disadvantages of the proposed financial sourcing and the offered planning and management strategy? 5. Do the similar projects cited demonstrate skill and success at seeing a project of Tremont Nail scale and complexity through to completion? 6. Has the firm been successful at planning and executing on a project of Tremont Nail Factory's scope? 7. Are the roles the firm is assigning for management of this work appropriate to the requirements? 8. Do the key personnel proposed for those roles have the experience and expertise to be successful? 9. Does the proposed commitment for key personnel seem adequate?

- **Highly Advantageous** – The proposal reflects a clear understanding and commitment to the aspirations of the Town relative to the site and district. Most of the concepts included by the Town in the Vision and previous study are clearly and specifically addressed.
- **Advantageous** – The proposal reflects a clear understanding and commitment to the Vision. A few of the concepts in the Vision are addressed.

- **Not Advantageous** – The proposal does not reflect a clear understanding and commitment to the Vision. Few if any of the concepts raised are addressed.
- **Not Acceptable** – The proposal runs contrary to the aspirations of the Town for the site.

2. Project Experience and Qualifications of the Development Team

- **Highly Advantageous** – The qualifications of the development team demonstrate the highest level of project development expertise. The team shows more than **three (3)** projects completed in the last **five (5)** years that show numerous similar elements and scale. References for the Development Team are all excellent.
- **Advantageous** – The qualifications of the development team demonstrate a reasonable level of project development expertise. The team shows at least **three (3)** projects completed in the last **five (5)** years that show some similar elements and scale. All references for the Development Team are good.
- **Not Advantageous** – The qualifications of the development team demonstrate a modest or low level of project development expertise. The team shows fewer than **three (3)** projects completed in the last **five (5)** years that show some similar elements and scale. Not all references for the Development Team are good.
- **Not Acceptable** – The qualifications of the development team do not demonstrate a reasonable level of project development expertise. The team shows fewer than **three (3)** projects completed across its entire history that show some similar elements and scale. Or, one or more of the references is poor.

3. Capacity of the Development Team

- **Highly Advantageous** – The proposed development team, including the Core Team, has over **ten (10) years** of experience in all Project Management positions (e.g., Developer, Architect, Engineer, Landscape Architect). Project approach narrative and reference checks clearly demonstrate the entirety of the team will provide a high level of time commitment and expertise to the project.
- **Advantageous** – The proposed development team, including the Core Team, brings over **five (5) years** of experience in all Project Management positions (e.g., Developer, Architect, Engineer, Landscape Architect). Project approach narrative and reference checks clearly demonstrate the entirety of the team will provide satisfactory time commitment and expertise to the project.
- **Not Advantageous** – The proposed development team, including the Core Design Team, cannot provide **less than five (5) years** of experience in all Project Management positions (e.g., Developer, Architect, Engineer, Landscape Architect). Project approach narrative does not clearly demonstrate the entirety of the team will provide a high level of time commitment and expertise to the project and references suggest a pattern of difficulty in this area.
- **Not Acceptable** – Project approach narrative suggests the applicant does not understand the expertise or time commitment required. One or more references are poor.

4. Financial Plan

- **Highly Advantageous** – The Financial Plan presents a clear proposal for financing the project with a high level of certainty of success. When viewed in the full context of the proposal, the terms are financially highly advantageous to the Town.

- **Advantageous** – The Financial Plan presents a clear proposal for financing the project with a reasonable level of certainty of success. When viewed in the full context of the proposal, the terms are financially advantageous to the Town.
- **Not Advantageous** – The Financial Plan does not present a clear proposal for financing the project and a reasonable level of certainty of success does not exist. When viewed in the full context of the proposal, the terms are not financially advantageous to the Town.
- **Not Acceptable** – The Financial Plan is confusing, vague, or inaccurate.

7.0 GENERAL TERMS AND CONDITIONS

Miscellaneous Provisions:

- A proposal must remain valid until the award of a contract or rejection of the proposal for the services sought herein.
- The Town of Wareham may modify or cancel this RFP, in whole or in part, at any time whenever such an act is deemed in its best interest.
- The Town of Wareham will not be responsible for any costs incurred by a proposer in preparing and submitting a proposal in response to this RFQ.
- Wareham’s Town Administrator is the Awarding and Contracting Authority. The Administrator expects to award a contract within sixty (60) days of the qualifications due date. Activities will commence upon selection of a Consultant and issuance of a Notice to Proceed.

Execution of Agreement:

The successful proposer will be expected to execute an Agreement as set out in the RFP within sixty (60) days of receiving the award.

If the Selected Proposer fails to deliver within the time specified except as may be extended by the agreement of both parties or occasioned by matters beyond the control of the Selected Proposer, or fails to make replacement of rejected articles when so requested, or fails to complete work within the agreed on times or as reasonably requested by the town of Wareham, the Town may elect to cancel the agreement.

THE TOWN RESERVES THE RIGHT TO TERMINATE ANY AGREEMENT PROCURED HEREUNDER UPON 60 DAYS WRITTEN NOTICE TO PROPOSER.

Certificate of Insurance:

The Town will require a Certificate of Insurance indicating General Liability Coverage, and Workers Compensation Statutory Coverage. The successful lessee will be required to indemnify and hold harmless the Town for and against any claims, actions, demands, damages, costs or expenses arising out of or related to activity on the premises. The successful proposer will be required to name the Town on the General Liability Certificate “As an Additional Insured”.

Affirmative Action:

It is understood and agreed that it shall be a material breach of any contract resulting from this proposal for the contractor 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.

Indemnification:

The vendor agrees to indemnify the Town of Wareham, its successors, agents, servants, employees, or assigns against any and all claims for loss, liability, or damage arising out of or in connection with the work done or to be performed and in connection with or arising out of the acts or negligent omission of the Proposer's employees, whether negligent or intentional, foreseeable or unforeseeable, within or without the scope of his employment, while said employees are upon, entering, or leaving the premises upon which this agreement is being performed.

Equal Opportunity Compliance:

The Vendor shall carry out the obligation of this Contract in compliance with all of the requirements imposed by or pursuant to Federal, State and local ordinances, statutes, rules, and regulation prohibiting discrimination in employment, including, but not limited to, Title VII of the Civil Rights Act of 1964; the Age Discrimination in Employment Act of 1967; Section 504 of the Rehabilitation Act of 1973, and M.G.L. c.151B, Massachusetts Executive Order 74, as amended by Executive Orders 116, 143, and 227, and any other executive orders, rules, regulations, and requirements relating thereto enacted by the Commonwealth of Massachusetts as they may from time to time be amended. The Vendor shall not discriminate against any qualified employee or applicant for employment because of race, color national origin, ancestry, age, sex, religion, physical or mental handicap, or sexual orientation.

8.0 SITE INFORMATION

The Tremont Nail Factory is a National Register Historic Site, built as a complex of wooden industrial buildings originating in 1819. The Town of Wareham purchased the complex of buildings, with about 48,000 SF of space on a parcel of about 7.2 acres. Architectural and structural assessments of the buildings were completed in 2009 by Menders, Torrey & Spencer, and is available for download from the town website at:

<https://www.wareham.ma.us/community-preservation-committee/files/tremont-nail-factory-feasibility-study-2009>

In 2017, a Vision Plan was prepared by Union Studios and was accepted with strong public support. The Vision Plan recommended rehabilitation of the structures in a campus-like setting, with a phased approach that reuses the structures for cafe, restaurant, event center, artists and crafts studios, museum spaces, offices, retail spaces, within a site populated with parks, a kayak launch, new green spaces and hardscapes, walking trails and bridges. The Vision Plan may be downloaded at:

<https://www.wareham.ma.us/redevelopment-authority/files/tremont-nail-vision-plan>

Schematic Design drawings with a cost estimate were prepared by Union Studios for the Office Building, the Packaging Building and the Freight Building. These are available at:

<https://www.wareham.ma.us/redevelopment-authority>

An instrument survey of the property completed by GAF Engineering dated March 19, 2015, is available at:

<https://www.wareham.ma.us/redevelopment-authority>

Zoning:

Current Zoning of the parcel is Wareham Village I and Tremont Nail Factory Overlay districts found online at:

http://www.wareham.ma.us/sites/warehamma/files/uploads/feb_2018_rev_by-law_0.pdf

Although the WRA is open to master planning new uses at the site, allowed uses under zoning include:

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, marijuana products.)
2. Entertainment/Event Space [estimated capacity is 800 persons]
3. Video production/studios

These plans and studies form the basis for the current project.

9.0 FORMS AND APPENDICES

Please fill out the following form and submit with proposal.

QUALIFICATIONS SUMMARY FORM						
CORPORATE INFORMATION						
NAME OF FIRM						
LOCATION HQ	Street					
	City State Zip					
	Phone				Website	
MA LOCATION <i>if different</i>	Street					
	City State Zip					
	Phone					
ORGANIZATION	Corporation	Partnership	LLC	Sole Proprietorship		
YEARS IN BUSINESS						
SERVICES	Development	Master planning	Entitlements	Property management	Investment	
LEADERSHIP						
	CEO					
	CFO					
	VP, Area					
	VP, Area					
	VP, Area					
NUMBER OF EMPLOYEES		NUMBER IN MASSACHUSETTS				
REAL ESTATE EXPERIENCE						
TYPE OF PROJECT	<i>Use</i>	<i>SF</i>	<i>Own</i>	<i>Lease</i>	<i>Office</i>	<i>Retail</i>
	Residential					
	Commercial					
	Industrial					
	Mixed Use					
BUILT					<i>Built</i>	<i>Managed</i>
	Residential					
	Commercial					
	Industrial					
	Mixed Use					
TEAMING EXPERIENCE						
	PPP					
	Partnership					
	Joint Venture					

Appendix A

DESCRIPTION OF APPLICANT BUSINESS/ORGANIZATION

Check appropriate box(es):

The named organizational entity submitting this proposal is:

- Corporation Partnership Proprietorship
 Minority Owned Woman Owned

SIGNATURES:

This page must be signed by a(n) individual(s) with authority to commit the proposing entity to a binding agreement. Corporations must attach required certification:

COMPANY NAME: _____

AUTHORIZED SIGNATURE: _____

PRINT NAME OF AUTHORIZED OFFICIAL: _____

ADDRESS: _____

TELEPHONE #: _____ FAX NUMBER: _____ EMAIL: _____

DATE: _____

FEDERAL TAX ID #: _____

DUNS #: _____

If a corporation, a notarized attestation of the signature(s) is required, or in the case of corporate seal affixed, that the signature is the signature of an officer authorized to bind the corporation to a contractual agreement.

Appendix B

STATE TAXES CERTIFICATION CLAUSE

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes under law.

_____ By: _____
* Signature of individual or Corporate Officer
Corporate Name (Mandatory) (Mandatory, if applicable)

Federal Identification Tax ID

* Approval of a contract or other agreement will not be granted unless the applicant signs this certification clause.

** This request is made under the authority of Mass. G.L. 62C s. 49.A.

Appendix C

HOLD HARMLESS AND INDEMNITY CLAUSE

_____, its officers and members all,
Legal Name of Proposer's Business Entity

through the 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 Proposer's Business Entity

_____ Authorized Signature

_____ Name and Title (Print or Type)

_____ Date

Corporate Seal

Appendix D

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.

FIRM _____

SIGNATURE _____

ADDRESS _____

NAME (print) _____

TITLE _____

TELEPHONE _____

DATE _____

Corporate Seal