

TOWN OF MONTAGUE



REQUEST FOR PROPOSALS FOR DISPOSITION OF PROPERTY AT EAST MAIN STREET MILLERS FALLS, MA (ASSESSORS MAP 29 LOT 180)

EAST MAIN STREET "LOT F" DEVELOPMENT OPPORTUNITY

Proposals Due: Monday May 14, 2018 2:00PM

Late Proposals will be rejected

For more information concerning this opportunity
contact the Montague Planning Department:
413 863 3200 x 207- planner@montague-ma.gov

**TOWN OF MONTAGUE
REQUEST FOR PROPOSALS**

EAST MAIN STREET “LOT F” DEVELOPMENT OPPORTUNITY

I. INVITATION – Request For Proposals (RFP)

The Town of Montague, Massachusetts through its Board of Selectmen invites proposals from qualified individuals or organizations for the acquisition of a 4,529 square foot parcel (0.1 acre) identified as Assessor’s Map 29 Lot 180. The parcel is flag shaped and has 8 feet of frontage on East Main Street and there are no structures on the parcel. The Town’s desired outcome is to combine the parcel with one of the abutting parcels in a manner that advances the Town’s community development and historic preservation goals for Millers Falls.

The town proposes to offer the property for the sum of \$5,100 to the individual or organization who: (1) submits the proposal that promises to contribute most significantly to the economic development of the town and (2) commits to the most attractive investment plan. This is a competitive process where proposals will be evaluated and ranked according to a series of well-defined criteria. These criteria will measure the relative effectiveness of each proposal to accomplish specific program objectives. Each applicant will be expected to provide solid documentation of their ability to meet all commitments being made in their proposal, in particular, evidence of an ability to obtain financing and provide performance guarantees. By submitting a proposal, the Proposer agrees to enter into a Purchase and Sale Agreement and Land Development Agreement with the Town that incorporates all the terms and conditions of this RFP.

The Request for Proposals (RFP) will be available April 11, 2018 on the Town of Montague website: <http://www.montague-ma.gov> or can be picked up at the Town Hall (Planning Department), 1 Avenue A, Turners Falls, MA. 01376. The Town Hall is open Monday, Tuesday and Thursday, 8:30a.m. to 5:30 p.m., and on Wednesday, 8:30 a.m. to 6:30 p.m.

Any questions concerning the proposed project should be directed to the Town Planner (413) 863-3200 (ext 207) during normal office hours, no later than May 9, 2018. Responses to all questions raised in writing shall be issued as an addendum to this RFP.

All proposals for this project must be received at the Selectmen’s Office no later than 2:00 PM, Monday, May 14, 2018, at which time they will be publicly opened and read aloud. All non-fee proposals shall be contained in a sealed envelope marked: “East Main Street Lot F”. Fee proposals shall be contained in a separate envelope.

The Town of Montague reserves the right to accept or reject any or all proposals, to waive any informalities, and to make the awards as may be deemed to be in the best interest of the Town. All proposals will receive consideration without regard to race, creed, color, age, sex, religion, national origin or disability. The Town of Montague is an Affirmative Action/Equal Opportunity Employer.

II. DEVELOPMENT OPPORTUNITY

The purpose of this request is to solicit proposals from qualified persons to improve a vacant town-owned lot in downtown Millers Falls as shown on the attached Subdivision Plan (Exhibit A) as “Lot F” and identified on town assessors maps as Map 29 Lot 180. The parcel abuts a blighted historic multi-family property at 38 East Main Street and also abuts several parcels that are in the process of being redeveloped. The Subdivision Plan found in Franklin County Registry of Deeds Plan Book 133 Page 99 (Exhibit B) notes that Lot F is not considered a buildable lot and is intended to be combined with one of the following parcels: Lot E (Assessors Map 29 Lot 178, Lot G (Assessors Map 29 Lot 181), or 38 East Main Street (Assessors Map 29 Lot 112). Proposals must clearly indicate which parcel they intend to combine with Lot F.

Despite designation as a “slum and blighted area” under Mass General Law Chapter 121A, The village of Millers Falls is undergoing a steady revitalization. The historic buildings on Lots A, B, C, and D were recently rehabilitated from a blighted state to Department of Interior Standards for Historic Rehabilitation. The revitalization of these strategically important buildings is bolstered by a pending nomination to the National Park Service to designate village center of Millers Falls a National Register Historic District.

The parcel previously identified as Map 29 Lot 116 was acquired by the Town of Montague in 2011 for non-payment of taxes. In October 2011, Town Meeting authorized the Board of Selectmen to convey the property. In November 2012 the Town of Montague subdivided the larger tax title property (See Exhibit B) to create “Lot F”. In February 2015 Lots A,B, C, D, E, and G were conveyed to Obear Construction through a competitive Request for Proposals Process. Lot F was not offered in the 2015 RFP.

This RFP is an effort by the Town to encourage private investment and the creation of quality housing or commercial space by offering the property to the bidder(s) whose proposal includes the most significant benefit toward the revitalization of Millers Falls. Significance will be defined in terms of the total dollars that will be invested in the rehabilitation of Lot F (and its selected adjacent parcel), the number and types of housing and employment opportunities that will be created as a result of the project and the compatibility of the development proposal with

economic development, historic preservation and other values that the town is attempting the encourage. The town will convey the property subject to stipulated improvements and other public purposes. The property is offered for sale in “as is condition” as the Town has no intentions of making any improvements to the property prior to any sale.

The proponent will be required to commit to a minimum scope of work. Proposals will be judged by the quality and scope of that work, its compatibility with other revitalization efforts, the financial commitment/capacity of the developer, and the commercial/economic development potential for the Town of Montague. Interested parties will be permitted to perform additional engineering, environmental, or other surveys at their own expense

The Town and proponent will enter negotiations for a development and acquisition agreement or lease based upon a selected preliminary design proposal, budget and financial commitment. Land area, boundaries, easements, performance assurance and other terms shall be negotiated as part of the selection process (see: Negotiation). Based upon a successful negotiated development agreement and confirmation of the required financial commitment to complete the project scope of work the Town of Montague and proponent will conclude a purchase and sale (acquisition) agreement. The proposed improvements will be coordinated with any existing town development projects in the complex and surrounding area. In all elements of this RFP and its execution, time is an essential consideration.

The Town will commit to facilitating redevelopment of the property and will cooperate and coordinate with the chosen proponent to the greatest extent possible. The Town will provide the following cooperation, if desired, including but not limited to:

- Provide all available information concerning the property and tax information, including a Phase I and II Environmental Site Assessment.
- The Town will support, if applicable, obtaining, but not submit applications for, potential tax incentives, public funds, grants or loans that may be available. (see: Funding Sources)
- The town does not propose to waive any permit or license fees.

III. DEVELOPMENT GOALS

The Town's goals for this solicitation are the following:

- 1) To provide economic benefit for the village of Millers Falls and Town of Montague
- 2) To improve the quality of housing stock in Millers Falls
- 3) To rehabilitate adjacent historic properties in Millers Falls to Department of Interior standards

Limitation on Uses

Lot F is not a buildable lot. It must be combined with an abutting property. Using Lot F as a parking area or solar development that is accessory to a primary use on another lot is acceptable, provided that the primary use advances the development goals of the Town.

Developers may put forward a development project with a substantially different concept and alternative objectives as listed in this section of this RFP, but all proposals will be judged for their appropriateness based on the development goals.

Use of the property is subject to compliance with requirements of all boards and commissions with jurisdiction over land use.

IV. FUNDING SOURCES

The project is to be funded by the proponent entirely. Availability of adequate funds is the exclusive responsibility of the proponent. The ability to perform in a timely way is an essential component of the project. Proposals that require the commitment of unsecured public funds, tax incentives, grants or loans shall be deemed speculative and receive no weight in the selection process. The Town of Montague makes no representations of any public funds being available nor does it represent that it will apply for any funds. Failure of the proponent to perform the funding requirement will require immediate severance from the project and reversion of the property to the town.

V. SUBMISSION REQUIREMENTS

In order to be considered for selection, proponent must submit a complete response to this RFP. All proposal submittals, evaluations and contracts shall conform to both Federal procurement laws and the Uniform Procurement Act, Massachusetts General Laws Chapter 30B. The cost of preparing a proposal shall be at the sole expense of the responder.

1. Deadline:

Proposals for the East Main Street Lot F Development Opportunity must be submitted to the Town Selectmen's Office, 1 Avenue A, Turners Falls, MA 01376 no later than 2:00 PM, Monday, May 14, 2018. Proposals postmarked but not received by the due date and faxed proposals will not be considered.

2. Content Requirements:

Submit one original copy with required Affidavits and four (4) copies of the proposal including supporting attachments in accordance with the submittal requirements. The proposal must be submitted in a sealed envelope clearly marked: "**East Main Street Lot F Development Opportunity**" with the proponents' name and addresses. Fee proposals shall be contained in a separate, sealed envelope.

3. Withdrawal or Modification of Proposals:

A proposal may be withdrawn by written request received prior to the submission deadline. Any modifications to proposals must be received prior to the submission deadline, submitted in a sealed envelope clearly identifying the proponent and marked "Modification to Proposal" with the project name.

4. Minimum information:

- Fee Proposal - Provide a fee proposal in a separate, sealed envelope marked "Fee Proposal". Fee proposal must exceed five thousand and one hundred (\$5,100) dollars.
- Resumes - Provide a short resume of qualifications, and experience of the project proponents, proposed owners, other project members, the Architect, General contractor if known and the proposed business tenant(s) if known. Include certifications/licenses, specific skills and other information that would document capabilities and qualifications for the project and any experience with similar projects.
- References - Provide a list of references, with contact names, their address, telephone numbers, and a brief description of the services provided to them.
- Proposed Scope of Work - Indicate which parcel is proposed to be combined with Lot F and show a full build-out of the property(ies). Provide the detailed outline of the specific work to be performed and supporting plans. The statement of work should include schedule and length each task will require.
- Business Plan- Outline a business plan for the retail/office/ or housing use that includes a description of jobs that will be created as a result of the project
- Cost Estimation - Provide an accurate, thorough and dependable cost estimate for the overall project. It may be developed by a Massachusetts registered professional architect, an estimate or actual bid by a licensed General Contractor based on specific plans or construction estimates based upon other recognized industry cost estimating standards with explanations as needed.
- Financials - demonstrate adequate financial resources to complete the proposal and maintain the property.
- Mandatory Affidavits - Proponent must submit certificates of Tax Compliance and Non-Collusion (included in the Appendix) with their proposals. This is a statutory requirement and the Town will be forced to reject any proposals in which it has been

inadvertently omitted. Proposing firms should submit the other affidavits in the appendix and evidence that the individual is an equal opportunity employer.

VI. SCHEDULE

These dates are for planning purposes and are target dates rather than deadlines except where explicitly noted elsewhere.

Distribute RFP	April 11, 2018
Proposal Submission Deadline and Opening (2 p.m.)	May 14, 2018
Review Proposals and Select Finalists	Within two weeks of opening
Interview Finalists	Within three weeks of opening
Select Proponent	Within four weeks of opening
Negotiate Development and Acquisition Agreement	June 27, 2018
Execute Development and Acquisition Agreement	July 30, 2018

VII. SELECTION PROCESS

Proposals will be opened at the designated time in the presence of one or more witnesses and a register of all respondents will be prepared. Proposals will be evaluated by a selection committee consisting of selected Montague town staff (Town Administrator, Town Planner and Building Inspector). Proposals will be rated according to minimum and comparative evaluation criteria contained in the RFP; and finalists will be chosen. Finalists will be interviewed by staff and given the opportunity to make a presentation. The respondent which best meets the Town's public purposes development goals considering the evaluation criteria, investment proposal and acquisition terms will be identified by the staff evaluation team and recommended to the Board of Selectmen for their final approval. A Development and Acquisition Agreement will then be negotiated between the Town and the developer.

VIII. STANDARDS AND EVALUATION FACTORS

In general, proponents must be responsive to the requested information set forth in the Request for Proposals. Proposals deemed to be non-responsive would be given a ranking of Unacceptable. Specifically, proposals will be evaluated and rated according to the following comparative criteria:

1. References and Experience of the Development Team

The Town is interested in the qualifications of the proposed development team, specifically Real Estate development and management expertise, education, credit worthiness and experience with similar projects.

- *Highly Advantageous* – one or more below
Proponent demonstrates experience with successful implementation of at least one other similar project
- *Advantageous*
Key members of the development team can demonstrate successful implementation of at least one other similar project
- *Not advantageous* - Minimal or no Building/ Real Estate development experience.

2. Design and Construction Personnel and Qualifications

The Town is interested in the qualifications and past performance of design professionals and construction personnel to be assigned to the project, specifically quality of work, estimate accurately, availability, and successful experience with similar projects which work within budgets and are completed in a timely way.

- *Highly Advantageous* - Proponent has identified and engaged a design professional **and** a General Contractor in the preparation of this proposal and references clearly demonstrate that the design professionals **and** construction personnel have at least five years experience and five successful projects of a similar nature completed on time and within budget.
- *Advantageous* - Proponent has engaged a design professional **or** a qualified contractor in the preparation of this proposal.

- *Not Advantageous* - Proponent has identified neither a design professional or qualified contractor that was engaged to prepare this proposal and references Plans and cost estimates are based upon sources other than design professionals or contractor estimates.

3. Responsiveness to RFP

The Town is interested in how well the proponent understands project requirements, the approach to the project in meeting the specific needs of the Town, the level of interest, and the overall quality of the proposal.

- *Highly Advantageous* - Proposals that, in the description of the creative and technical approach to the project clearly understand the specific needs and objectives of the Town of Montague and the Village of Millers Falls; and exceed the expectations of the selection committee.
- *Advantageous* - Proposals that, in the description of the creative and technical approach to the project, meet and basically address the requirements of this RFP and the Town of Montague.
- *Not Advantageous* - Proposals that, in their description of the creative and technical approach to the project provides essentially “boilerplate” information and do not recognize or address the needs of the Town of Montague.

4. Level of Investment

The Town is interested in the minimum level of investment to which the proponent will commit.

- *Highly Advantageous* - The level of private investment being proposed on this parcel and one of the adjacent lots exceeds \$100,000 AND The developer has provided a letter from a banking institution with a commitment to provide financing for the project.
- *Advantageous* - The level of private investment being proposed on this parcel and one of the adjacent lots exceeds \$100,000 AND The developer can demonstrate through his/her previous project experience that he/she is capable of securing the level of financing that will be necessary to implement the project that is being proposed, but has not provided a commitment letter from a bank.

- *Not Advantageous* – The developer has not provided a commitment letter from a bank, and/or has no previous, demonstrated track record of being able to raise the level of funds required to implement his/her project and/or the financing plan is unrealistic. The venture being proposed is speculative and is likely to result in no action being taken and the loss of time.

1. **Economic Impact of Project**

- *Highly Advantageous* - The project will result in the creation of 5 or more of new, living wage full time employment opportunities OR 5 or more new or rehabilitated housing units AND can demonstrate a direct benefit to the revitalization of Millers Falls.
- *Advantageous* - The project will result in the creation of four or less full time employment opportunities OR 4 or less new or rehabilitated housing units AND or will have an indirect (but clearly identifiable) benefit to the revitalization of Millers Falls.
- *Not Advantageous* – The project will not directly result in the creation of new employment opportunities or will not significantly contribute to the revitalization of Millers Falls.

2. **Feasibility**

- *Highly Advantageous* – The proposal demonstrates that the project is feasible through its pro-forma OR market analysis OR commitment from tenants. Project demonstrates ability to be complete within 18 months of sale.
- *Advantageous* – The proposal demonstrates feasibility, but there are some data gaps or only letters of interest from tenants. Completion within 18 months is speculative.
- *Not Advantageous* – The project does not demonstrate feasibility

3. **Site Improvements**

- *Highly Advantageous* - Project proposes landscape and site improvements that adequately addresses utilities circulation, security, parking, and open space.
- *Advantageous* - Project addresses utilities, circulation, security, parking, and open space, but does not propose substantial improvements

- *Not Advantageous* – Project proposal does not adequately address utilities, circulation, security, parking, and open space OR proposes site improvements that are unfeasible.

XII INTERVIEWS

The Town's Selection Committee will review and rank all proposals using the above criteria. The Committee may then elect to establish a short list of proponents to be interviewed at Town Hall. The interview times will be established by the Committee and will not exceed forty-five minutes. The purpose of the interview is to allow for the evaluation of each proponent's personnel, project approach, enthusiasm and management style, working compatibility with other town projects and how well the firm matches up with the project proposal and RFP evaluation criteria. The proponent is strongly encouraged to interview with key design, construction and financing personnel. After all the interviews are complete the Committee will then rank the firms and make a recommendation to the Board of Selectmen for approval.

XIII NEGOTIATION

The top ranked proposal will be invited back to negotiate a Development and Acquisition Agreement or lease with the Town. The starting point for discussions will be the proposal submitted with RFP. If reasonable terms can be successfully negotiated, a purchase sale contract will be executed. If not, the next ranked proposal will go through the same process until such time as an award can be made. The selection of a respondent to negotiate a development and acquisition agreement does not constitute a contract or a promise that negotiations will lead to a successful agreement.

General Provisions of the Development and Acquisition Agreement - The purpose of the development agreement is to formalize the scope of work and establish performance schedule and establish the conditions for transfer of ownership. The development agreement shall include final design and scope of work and budget, land area, boundaries, easements, performance assurance, schedules, financial commitments, sureties, parking arraignments, and commitment to design and construction cooperation. Negotiations shall include a non-performance and default provision and/or bond or other surety provision. Further commitments may include but not be limited to the

following; roles and responsibilities of all parties; composition of the development team; ownership structure and terms; project phasing schedule; guarantees, warranties and insurance; other financial terms; financing; acquisition terms; performance dates; default and termination terms or other miscellaneous items.

Rights Reserved by the Town:

- To approve or reject any proposed assignment of the RFP and any change of proposed owner prior to final completion of the scope of work.
- To establish design and final grades within the project area.
- To take, retain or grant any necessary easements.
- To confirm the required financial commitment to the project scope and schedule.

XIV MISCELLANEOUS TERMS AND CONDITIONS

- Town Rights - The Town reserves the right to withdraw or extend the deadline for this Request for Proposals, to accept or reject any or all proposals, to advertise for new proposals, to waive any informalities in the RFP process if it is in the best interest of the Town to do so, and to negotiate a development agreement as deemed to be in the best interest of the Town. The Town may enter into an agreement based on the public purposes stated in this RFP rather than on the most advantageous financial terms offered by a proponent.
- Compliance with Law - The selected proponent's team shall comply with all applicable federal, state, and local laws and regulations in the performance of any obligation under the proposal.
- Equal Opportunity - The selection of a development team shall be made without regard to race, color, sex, age, religion, national origin, or political affiliation. The Town encourages proposals from qualified minority and women-owned businesses.
- Disclosure of Beneficial Interest in Real Property - The proposed owner will be required to complete the Disclosure of Beneficial Interests in Real Property Transaction form which must be filed with the Division of Capital Planning and Operations required under MGL c. 7, S40J, prior to any conveyance.

XV LIST OF DOCUMENTS AVAILABLE FOR REVIEW

- Phase I Environmental Site Assessment- 2005
Available at Montague Planning Office
- Phase II Environmental Site Assessment- 2007
Available at Montague Planning Office
- ANR Subdivision Plan- 2012
Available at Montague Planning Office
- Town Meeting vote to authorize conveyance of Real Property
Available at Montague Planning Office
- Montague Zoning By-laws
http://www.montague.net/Pages/MontagueMA_BComm/Planning/Index
- Downtown Turners Falls and Millers Falls Façade Design Guidelines
http://www.montague.net/Pages/MontagueMA_BComm/Planning/Index
- Town of Montague Economic Development Plan (2004)
http://www.montague.net/Pages/MontagueMA_Planning/docs

APPENDIX A: MANDATORY FORMS

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 natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

(Authorized Signature)

(Name of Developer/Consultant)

CERTIFICATE OF TAX COMPLIANCE

Pursuant to Chapter 62C of the Massachusetts General Laws, Section 49A(b), it is hereby certified under the pains and penalties of perjury that the undersigned has complied with all laws of the Commonwealth of Massachusetts relating to taxes.

(Authorized Signature)

(Name of Developer/Consultant)

**Price Proposal Form
Lot F Development Opportunity**

INCLUDE IN SEPARATE SEALED ENVELOPE

In accordance with the information, terms, and conditions attached here to I (We) hereby offer to purchase from the Town of Montague the land and building identified as: "Lot F"

A) **Cash offer (\$5,100 minimum)** \$_____

Attached hereto is a certified check or money offer drawn on a banking institution licensed in the Commonwealth of Massachusetts in an amount equal to 10% of the above offer which shall serve as surety for faithful performance of this disposition of property from the Town of Montague. This sum shall be forfeited to the Town of Montague if the remaining 90% is not tendered to the Town of Montague within twenty-one days from the notice of being selected bidder of the property. For proposals that are not selected, deposits will be returned within 30 days.

Minimum investment shall not include business-related expenses or development soft-costs, but is rather used to indicate level investment in the building and its infrastructure.

Signature of Proposer_____

Printed Name_____

Address_____

City_____ State _____ Zip _____

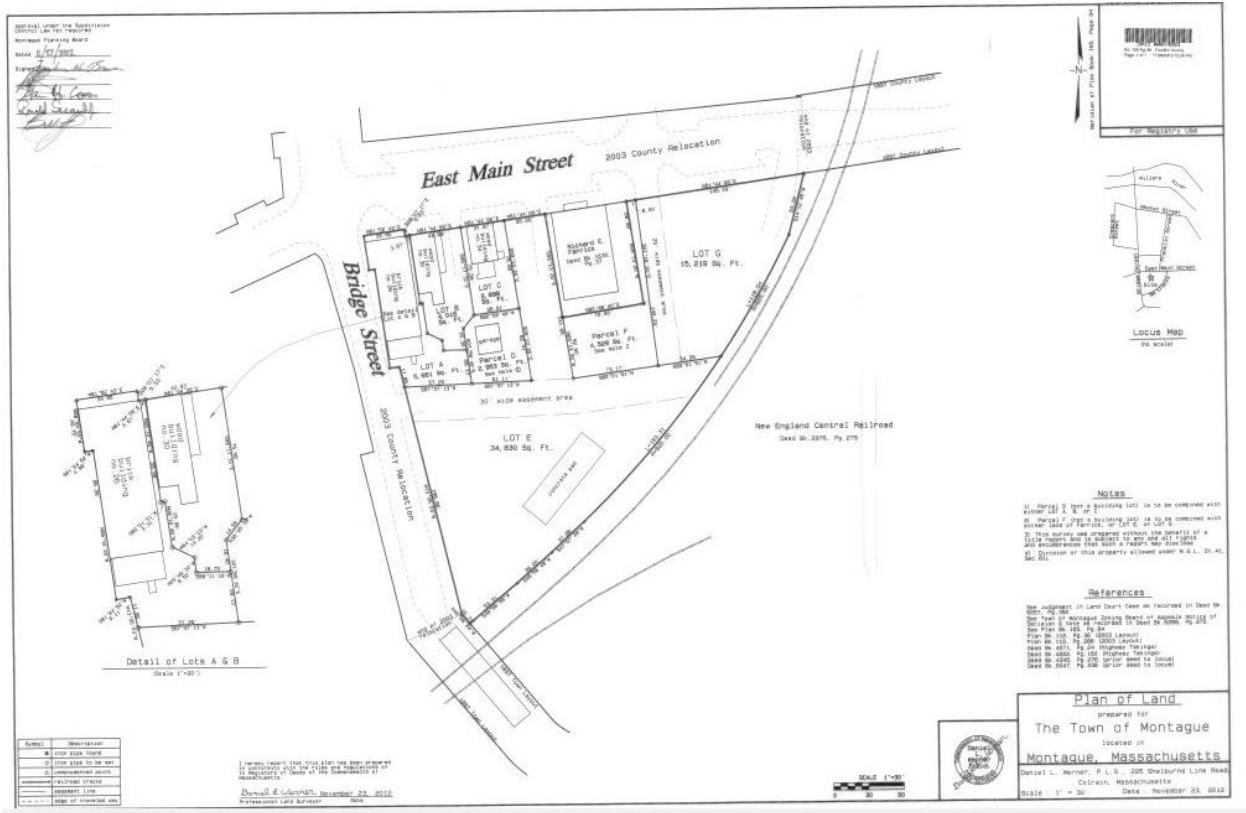
Telephone # _____

Note: If a partnership or corporation, list all partners or all officers of the corporation and include a sealed corporate vote allowing the officers to act on this matter:

The Town of Montague reserves the right to reject and all proposals if in the its best interest to do so.

Appendix B:

Subdivision Plan



APPENDIX C:

Property Record Card

Unofficial Property Record Card - Montague, MA

General Property Data

Parcel ID 29-9-180
Prior Parcel ID --
Property Owner INHABITANTS OF MONTAGUE
POSSESSION
Mailing Address 1 AVENUE A
City TURNERS FALLS
Mailing State MA Zip 01376
ParcelZoning CB

Account Number 121
Property Location REAR EAST MAIN ST
Property Use IMP_TAXTTREA
Most Recent Sale Date 8/22/2011
Legal Reference 6057-350
Grantor JACKSON MARY,
Sale Price 0
Land Area 0.104 acres

Current Property Assessment

Card 1 Value Building Value 0 Xtra Features Value 0 Land Value 20,200 Total Value 20,200

Building Description

Building Style
of Living Units 0
Year Built N/A
Building Grade
Building Condition N/A
Finished Area (SF) N/A
Number Rooms 0
of 3/4 Baths 0

Foundation Type
Frame Type
Roof Structure
Roof Cover
Siding
Interior Walls N/A
of Bedrooms 0
of 1/2 Baths 0

Flooring Type N/A
Basement Floor N/A
Heating Type N/A
Heating Fuel N/A
Air Conditioning 0%
of Bsmt Garages 0
of Full Baths 0
of Other Fixtures 0

Legal Description

Narrative Description of Property

This property contains 0.104 acres of land mainly classified as IMP_TAXTTREA with a(n) style building, built about N/A, having exterior and roof cover, with 0 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

Property Images



Official Property Record card available from Montague Assessing Department