

*Department of Planning and Development*

*REQUEST FOR PROPOSALS:#21-79*

*Newton Armory Affordable Housing Development*

***PRE BID: July 22, 2021 at 10:00 am at 1135-1137 Washington Street, Newton***

***RFP Opening date: September 30, 2021 at 10:00 am***



**CITY OF NEWTON, MASSACHUSETTS**  
**REQUEST FOR PROPOSAL #21-79**  
**NEWTON ARMORY AFFORDABLE HOUSING DEVELOPMENT**  
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**PURCHASING DEPARTMENT**  
**REQUEST FOR PROPOSALS #21-79**

This City of Newton Request For Proposals (RFP) invites sealed proposals in accordance with M.G.L. c.30B, §16 from real property developers (Developers) for

**NEWTON ARMORY AFFORDABLE HOUSING DEVELOPMENT**

Development of Affordable Housing at 1135-1137 Washington Street, Newton, Massachusetts

**Pre-proposal Meeting/Site Visit: 10:00 a.m., Thursday, July 22, 2021 at 1135-1137 Washington Street, Newton, Massachusetts.** The Pre-proposal Meeting/Site Visit is **NOT** mandatory.

Proposals will be received until **10:00 a.m., Thursday, September 30, 2021.\***

at the Purchasing Department, Room 108, Newton City Hall, 1000 Commonwealth Ave., Newton, MA 02459. Immediately following the deadline for submission, the City shall prepare and publish a list of all proposals submitted.

**\* To promote the health and safety of City workers and the public, Newton City Hall is still observing some COVID restrictions. The City has adopted the following procedures that may affect your participation in this bid:**

1. **Proposals not received in Room 108 by mail or courier may be dropped off in a locked drop box at the top of the stairs to left of the main door to City Hall. The box will be checked at the scheduled submission deadline.**
2. **A list of proposals submitted will be scanned and posted as soon as practicable after the opening.**

Documents associated with this RFP (Contract Documents) will be available online at the City's website: [www.newtonma.gov/bids](http://www.newtonma.gov/bids) after: **10:00 a.m., July 1, 2021.**

Proposers are responsible for downloading the specifications from the City's website at [www.newtonma.gov/bids](http://www.newtonma.gov/bids). Proposers must email the Purchasing Department ([purchasing@newtonma.gov](mailto:purchasing@newtonma.gov)) their Company Name, Address, Email address, Phone & Facsimile number and what bid # (i.e. #21-79) they have downloaded.

This is an RFP but the real property located at 1135-1137 Washington Street, Newton, Massachusetts which is the subject of this RFP shall be leased to the developer for one dollar (\$1.00) per year. Proposers shall submit only a technical, or non-price proposal, which includes everything responsive to this RFP.

Note that this RFP includes an Appendix consisting of 16 Attachments, denominated Attachments A through P.<sup>1</sup> The Attachments total 2,402 pages. References are made to the Attachments at appropriate places in the RFP.

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- A. Washington Street Plan – Page 1
- B. Newton Housing Needs – Page 113
- C. Special Legislation - Page 215
- D. JAPG Report– Page 219
- E. Consultant – Page 1111
- F. Title – Page 1186
- G. Alta Survey – Page 1193
- H. Phase I and Phase II – Page 1194
- I. Hazmat Report – Page 2025
- J. Structural Report – Page 2049
- K. Inventory Form – Page 2078
- L. MHC Adverse Effect Letter – Page 2082
- M. Executed MOA – Page 2083
- N. Newton Zoning Ordinance – Page 2089
- O. Climate Action Plan – Page 2277
- P. Memorandum of Intent to Negotiate Lease– Page 2398

There is no specific form for the Technical Proposal, although it should be responsive to all information requested in the RFP. Proposals should not be more than twenty (20) pages in length, excluding attachments such as company financial reports, HR policy manuals, certifications, etc. and documents requested by the City.

**All proposals shall be submitted as one (1) ORIGINAL and seven (7) COPIES. In addition, a digital copy of the Technical Proposal is required.**

Proposers' attention is directed to the requirements of the City's Supplemental Equal Employment Opportunity, Anti-Discrimination and Affirmative Action Program and also to the Minority/Women Business Enterprise Plan, December 1999, all of which are available on the Purchasing Department's web page. In the event of conflict between any of the above listed policies, the stricter policy shall apply.

All City of Newton bids are available on the City's website, [www.newtonma.gov/bids](http://www.newtonma.gov/bids). It is the sole responsibility of Developers downloading these bids to ensure they have received any and all addenda prior to the bid opening. Addenda will be available online within the original bid document as well as a separate file. If you download bids from the internet site and would like to make it known that your company has done so, you must email the Purchasing Department ([purchasing@newtonma.gov](mailto:purchasing@newtonma.gov)) the Company Name, Address, Email address, Phone & Facsimile number and what bid # (i.e. #21-79) has been downloaded.

The City will reject any and all proposals in accordance with the above referenced General Laws. In addition, the City reserves the right to waive minor informalities in any or all proposals, or to reject any or all proposals (in whole or in part) if it be in the public interest to do so.

In the event that any person wishes to attend a bid opening or pre-bid meeting, accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: [jfairley@newtonma.gov](mailto:jfairley@newtonma.gov) or (617) 796-1253. For Telecommunications Relay Service, please dial 711.

CITY OF NEWTON

A handwritten signature in black ink, reading "Nicholas Read". The signature is stylized with a large, prominent "N" and a cursive "Read".

Nicholas Read  
*Chief Procurement Officer*  
July 1, 2021

## **PART I. PROJECT OVERVIEW**

The City of Newton is pleased to issue the above Request for Proposals (RFP) seeking a development partner to lease and redevelop the West Newton Armory at 1135-1137 Washington Street in the City of Newton (the building, any property improvements and the land being referred to herein collectively as the “Armory”). Since the resulting contract may include a disposition of an interest in real property, this RFP is subject to M.G.L. c. 30B, §16.2

Once the home of the National Guard, the Armory has been vacant since 2017 and has been managed since then by the Commonwealth’s Division of Capital Asset Management and Maintenance (DCAMM). By an act of the Legislature, the site has been offered to the City to develop as 100% affordable housing.

The City believes that development of the Armory is an excellent opportunity to build needed affordable housing for the City. The City is looking for creative ideas and solutions that are sensitive to the community, respectful of the environment and incorporate the City’s Washington Street Vision plan (Appendix Attachment A) and the City’s Housing Needs Analysis and Strategic Recommendations (Appendix Attachment B).

The following project overview has been assembled from a variety of sources. While the City has no reason to believe that the information provided in this RFP (including all attachments and supplements) is not accurate, the City makes no representations or warranty, express or implied, as to the accuracy and completeness of the information. Prospective bidders are responsible for undertaking their own review and analysis concerning physical conditions, environmental conditions, applicable zoning, required permits and approvals, and other development ownership and legal considerations.

## **HISTORY OF THE PROJECT**

The Armory has long been a fixture at its location on 1135 Washington Street. Built between 1910 – 1912, the Armory housed the Massachusetts State National Guard for over 100 years. Due to the changing needs of the National Guard over the past century, armories of this vintage are obsolete. Following the similar aged armories throughout the Commonwealth, the Massachusetts National Guard has decommissioned the Armory by transferring management control to DCAMM.

Shortly after assuming management responsibilities of the Armory, DCAMM offered the City the right to purchase the Armory under two separate options. First, DCAMM would offer the Armory to the City for nominal consideration if the City restricted its future use to 100% affordable housing. If the City decided against a future housing use, and instead desired the Armory for a municipal use (e.g. municipal library), DCAMM would sell the Armory for a price based upon the Armory’s appraised value for that particular use. If the City chooses not to exercise its right to acquire the Armory, DCAMM has the option to sell the Armory via a bid process. The terms of this sale are authorized in Special Legislation passed by the Massachusetts State Legislature and signed by the Governor on August 14, 2020, attached hereto as Appendix Attachment **C**.

To assess the best option for the Armory, the City Council Property Reuse Committee asked Mayor Ruthanne Fuller and the City Council to create a Joint Advisory Planning Group (JAPG) and appoint its nine members. The JAPG, staffed by the City’s Planning Department, undertook a critical analysis of the options for development of the site and the needs of the City and recommended that after the City exercises its option to purchase the Armory it lease it for future use as affordable housing.

In November 2020, the JAPG submitted its written report to the Real Property Reuse Committee, attached hereto as Appendix Attachment D. Following its review of the report, as well as the feasibility report submitted by the City’s housing consultant, attached hereto as Appendix Attachment E, the Committee voted in January 2021 to recommend that upon purchase of the Armory from the State for nominal consideration, the City then lease the property to the most advantageous developer for redevelopment into 100% affordable housing. The Mayor had previously indicated her full support for this alternative.

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<sup>2</sup> Although the City has elected to use an RFP process, it is not its intent to follow the procedures set forth in M.G.L. c. 30B, §6. All terms and conditions of this procurement are set forth in this RFP, which does not incorporate any statutory provisions except to the extent the same are set forth herein.

On February 1, 2021 the full City Council voted to affirm this recommendation. This RFP is intended to solicit proposals from qualified affordable housing developers to lease the Armory from the City and develop the property into 100% affordable housing.

## **LOCATION & PROPERTY**

The Armory is located at the current address of 1135-1137 Washington Street in the City of Newton, Tax ID # E 046 001 404.

The total land area of the existing Armory is 33,211 square feet. The property description is included in the Title Report, attached hereto as Appendix Attachment F, and a recent ALTA Survey is attached hereto as Appendix Attachment G.

## **ENVIRONMENTAL AND HAZMAT**

The City received an environmental review and a hazardous materials survey as part of the feasibility analysis. The City has engaged Green Seal Environmental to complete a Limited Subsurface Investigation to address the Recognized Environmental Conditions noted in the Phase I and Phase II ESA, attached hereto as Appendix Attachment H.

The hazardous materials survey attached hereto as Appendix Attachment I tested for asbestos, lead, and radon. Small amounts of asbestos and low levels of lead were found, and radon levels were below the EPA action limit. Note that the HazMat study was limited to visual and physical observations and did not study any areas that required demolition (piping in the walls, beneath the floors, etc.).

## **STRUCTURAL**

The City received a structural report of the existing building as part of the feasibility analysis, and it is attached hereto as Appendix Attachment J. Overall, the report found that the Headhouse portion of the Armory to be in better condition than the Fieldhouse portion thereof. Additionally, the existing foundation of the Armory building is in “good shape” and could be reused. The basement floor, consisting of 8” thick concrete slab on grade, is in very good condition, with minimal cracks. The structural report notes that the basement could be suitable for parking.

## **HISTORIC**

The West Newton Armory is listed on the State’s Inventory of Historic Buildings and is eligible for listing in the State and National Registers of Historic Places. Both Federal and State Historic Tax Credits could be used as a tool to finance the redevelopment of the Armory. The Inventory Form B for the property as well as reference websites for additional information on the State and Federal Historic Tax Credit Programs is attached hereto as Appendix Attachment K. DCAMM, as part of its disposition process, filed a Project Notification Form with Massachusetts Historical Commission (MHC) and MHC found that DCAMM’s disposition of the project to the City of Newton constituted an adverse effect, see the correspondence attached hereto as Appendix Attachment L. At MHC’s request, MHC, DCAMM, the City of Newton, and the Newton Historical Commission (NHC) entered into consultation about the project. The end result of this consultation was the execution of a Memorandum of Agreement (MOA) between MHC, DCAMM, the City of Newton, and the NHC, a draft of which is attached hereto as Appendix Attachment M.

## **SITE OWNERSHIP**

The City will retain ownership of the Armory and intends to enter into a long-term lease with the selected developer for \$1 per year. The City currently is authorized by special legislation to lease the Armory for a term not to exceed 65 years. The Mayor has docketed a request with the City Council for authorization to petition the General Court for special legislation to increase the number of years the City can lease the Armory to a period of up to 99 years. The Mayor’s request is pending before the City Council.



## **DUE DILIGENCE RESPONSIBILITY**

Prospective proposers are responsible for undertaking their own review and analyses concerning physical conditions, environmental conditions, applicable zoning, required permits and approvals, water and sewer connections, and other development and legal considerations.

The City of Newton 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, lease or financing and withdrawal without prior notice, and changes to, additional and different interpretations of laws and regulations.

## **PART II. INSTRUCTIONS TO PROPOSERS**

**A. GOVERNING LAW and DEADLINE FOR SUBMISSION:** All proposals must be submitted in accordance with the terms of this RFP, to the Chief Procurement Officer in the Purchasing Department, Newton City Hall, 1000 Commonwealth Avenue, Room 108, Newton, MA 02459, no later than 10:00 a.m., September 30, 2021.

A responsive proposal shall consist of a Technical Proposal made up of one (1) original, seven (7) paper copies, and one (1) CD/electronic copy

The envelope shall be marked:

**“TECHNICAL PROPOSAL - RFP #21-79 Newton Armory Affordable Housing Development”**

Technical Proposals must have information submitted in the same order of the criteria as listed in this RFP and pages shall be numbered in the bottom footer. Proposals must have a Table of Contents listing the specific page number, which provides the documentation demonstrating they have met each of the criteria listed. Simply stating that you can meet the criteria will not deem your RFP responsive; you must provide documentation that demonstrates your ability to meet the criteria.

**Faxed or emailed proposals will not be accepted.**

Each Technical Proposal must contain a section for each of the following:

The Technical Proposal (not to exceed twenty (20) pages, excluding attachments such as company financial reports, HR policy manuals, certifications, etc. and documents requested by the City) shall include examples of comparable projects, and resumes of key personnel. Documentation must be contained in each section to prove responsiveness to each requirement. Proposals received without the required documentation for each section may be deemed non-responsive.

**QUESTIONS/ADDENDA:** Inquiries involving procedural or technical matters should be directed in writing, no later than 12:00 noon., September 24, 2021:

**purchasing@newtonma.gov or facsimile (617) 796-1227**

**Purchasing Department  
City of Newton  
1000 Commonwealth Avenue Room 108  
Newton, MA 02459**

**ADDENDA:** Each proposer is required to acknowledge any/all Addenda. Proposers shall place their acknowledgment as the first line of their Transmittal/Cover Page which shall be placed as the first page of the “Technical Proposal.”

Addenda will be posted online and emailed to every individual or firm on record as having received a set of Contract Documents. If you have downloaded the RFP from the internet, you must make your company known to the City of Newton, Purchasing Department by emailing or faxing your company's: name, address, phone, fax, and email address and include the RFP Number (#21-79) and project title. It is the Contractor's sole responsibility to ensure that it has received all addenda prior to the RFP submittal date. Copies of addenda will be made available at the Purchasing Department and on the City's website: [www.newtonma.gov/bids](http://www.newtonma.gov/bids)

If you have downloaded the RFP please be sure to email us ([purchasing@newtonma.gov](mailto:purchasing@newtonma.gov)) the following information: Your Name, Address, Phone and Fax numbers, email address, and what RFP number and project title you have downloaded.

**EXAMINATION OF DOCUMENTS:** Each Proposer shall be satisfied, by personal examination of the location of the contemplated services and by any other means, as to the requirements of the contemplated services to enable the intelligent preparation of this proposal. The Proposer shall be familiar with all RFP Documents before submitting a proposal in order that no misunderstanding shall exist in regard to the nature and character of the contemplated services to be performed. No allowance will be made for any claim that the proposal is based on incomplete information as to the nature and character of the area or contemplated service.

The City reserves the right to waive any informality in all submitted proposals, and/or to reject any or all submitted proposals, in-whole or in-part if it be in the public interest to do so.

### **PART III. ANTICIPATED RFP SCHEDULE**

Issue Date of RFP: July 1, 2021 at 10:00 a.m.

Site Visit: July 22nd, 2021 at 10:00 a.m. (Site visit is NOT mandatory.)

End of Q&A Period: September 24, 2021 at 12:00 noon

Submission Date of Proposals: September 30, 2021 at 10:00 a.m.

Anticipated Interviews: October 18th, 2021\*

Anticipated Selection Date: November 16th, 2021\*

\*These are estimated dates.

### **PART IV. PROPOSAL SUBMISSION REQUIREMENTS**

Proposals may include any materials and information that the developer feels are necessary to satisfy as many of the recommended features of the Project description as practicable. After the opening of the Proposals, a developer may not correct or modify its Proposal in any manner unless in response to a written request for the City in its sole discretion.

Complete Proposal shall include the following:

Transmittal letter signed by a principal(s) of the developer including all contact information

Statement of Qualifications, which includes the following:

The composition and structure of the Development Team and organization structure that sets out all key members of the development team including but not limited to: developer, architect, sustainability/green building consultant, management company, and any other consultants for the proposed development

Resumes of key personnel on the Development Team

Three (3) references for each key personnel on the Development Team



**Qualifications of the Development Team as they relate directly to designing, financing, constructing and operating similar affordable housing developments**

- Examples of recent affordable housing projects completed by team members

**A. A Conceptual Description of the proposed development that includes:**

**I. Conceptual Design Submission**

- Written and graphic descriptions explaining how the proposed design will meet the objectives of this RFP. These documents must describe and illustrate all the program elements and the organization of these spaces within the building
- Written description explaining how the proposer will retain and/or integrate character-defining features of the building in the proposed design
- A Site Plan showing how the proposed design will fit within the immediate context of existing buildings and within the larger context of the neighborhood.
  - The proposed building, existing building footprints, lot lines, streets, street names and any other relevant contextual information is to be included in the plan
  - The site plan is to illustrate the existing building footprint and placement of any new building elements on the site, the general building organization, open space, landscape elements, driveways, curb cuts, fencing, walkways, streetscape improvements. The site plan should coordinate with renderings and/or perspective drawings and aerial views of the project
- Schematic floor plans at appropriate scale showing the basement, ground floor, upper floor(s), and roof including approximate unit dimensions and square footage, unit distribution, interior parking, if any, community spaces, amenity areas, and management offices, overall building dimensions, and the gross square footage of the building.
- Building Elevations at appropriate scale showing all sides of the proposed building, architectural elements, building height, and notations of proposed materials. Provide floor-to-floor heights and exterior materials.
- Building Sections, in at least two directions, showing how the building relates to the site and grading, and the relationship of any new and existing building portions.
- Street elevations at appropriate scale showing the relationships of the proposed building(s) to the massing, building height and architectural style of adjacent buildings. This should include the proposed Dunstan East project buildings (see City of Newton Planning Department High Interest Projects Webpage).
- Perspective drawings drawn at eye-level and aerial views that show the project in the context of the surrounding area.

**II. Project Narrative**

- Narrative describing the intended population(s) served
- Number of dwelling units proposed by size, level of affordability, and accessibility provisions
- A written description of the bicycle parking, automobile parking, and transportation plan for the proposed development.
- A written description of how the proposed project will satisfy or exceed the Sustainable Development Requirements in the City's Zoning Ordinance Section 5.13.4 (**see Appendix Attachment N**).
- A preliminary zoning analysis
- Description of how the other matters of City interest described in "Part IV. Project Description" will be addressed.

**B. Project Schedule beginning from date of award through permanent loan conversion, highlighting key milestones including but not limited to: permitting, DHCD and other public funding, commencement of construction, length construction and lease up and identification of contingencies that might alter the timing.**

**C. Project Proforma and description that includes:**

- Complete the Sources and Uses and Proforma sheets of Version 4 of the Excel Crosswalk file

- Complete a 20-year operating proforma in a separate excel file that includes Revenue, Vacancy, Expenses, NOI, Debt Service, and Debt Service Coverage Ratio for each year
- Provide written detail of assumptions made in determining sources, uses, rental revenue, operating expenses, and permanent mortgage sizing.
- Banking references

## **PART V. PROJECT DESCRIPTION**

The City intends to provide a long-term lease of the Armory to a developer to design and develop a 100% affordable housing development. The development should include the following:

**Housing.** Per the special legislation governing DCAMM’s sale of the property to the City, the Armory must be used exclusively for “low-income housing and related services” defined as housing available to households earning not more than 80 per cent of the area median income, adjusted for household size. Proposals for rental housing that target households at the deepest level of affordability will be highly preferred. The affordable housing need in Newton is great across all populations and therefore the City has no special preference in terms of resident mix: family, senior (55+ or 62+), veteran, special needs, etc., or any other feasible mix of populations. The mix of units by number of bedrooms or square footage should be in line with the appropriate Massachusetts Department of Housing and Community Development (DHCD) guidelines.

**Historic Preservation.** The Armory is on the NHC’s Inventory of Historic and Archaeological Assets of the Commonwealth and found eligible for listing on the National Register. Proposals that make an effort to respect the historic building and its character defining features and that incorporate notable preservation while also producing quality affordable housing will be considered highly advantageous.

**Common Areas (interior).** Proposals should include well defined common areas that provide sufficient space to serve the needs of the intended residents. Proposals should make clear how the use of common spaces will support and improve the quality of life for the residents.

**Supportive Services.** Proposals should note whether supportive services will be provided to the residents, and how these services will improve the quality of life of the intended residents. The project proforma should clearly show how the proposed services will be funded.

**Parking and Connectivity.** Proposals should include adequate parking for the intended residents. The way that vehicles, pedestrians, bicycles and other users access and use the site should reflect a strong transit demand management strategy.

**Open Space.** Proposals should include well defined open space areas, outside of the building and/or on the building, that serve the needs of the intended residents and support and enhance their quality of life.

**Design.** Proposals should be consistent with the goals and policies contained in the Newton Comprehensive Plan and the Washington Street Vision Plan. The architectural design of the development should be both appealing and compatible with the Washington Street Vision Plan. Particular attention should be paid to building features that incorporate the principals of “human scale” design from the perspective of Washington Street pedestrians and adjacent neighbors. Proposals should also clearly relay how the design provides for a highly-livable and comfortable environment for the intended residents.

**Sustainability.** Proposals should note how the design and construction of this project is consistent with the goals of the Climate Action Plan adopted by the City of Newton attached hereto as Appendix Attachment O. and as further described in the zoning ordinance Section 5.13 Sustainable Development Design.

Consideration of high-performance building envelope and HVAC equipment as well as the elimination of fossil fuels to operate the building will be highly preferred.

**Accessibility.** Proposals should clearly note how the project will be accessible to persons with disabilities, and how the design of the buildings and the site plan comply with the Americans with Disabilities Act and the rules and regulations of the Massachusetts Architectural Access Board. Consideration should be given to issues of accessibility, adaptability, visit ability, and universal design in development of the site plan and the building.

Additionally, proposals should clearly identify the development team's experience creating projects that are accessible to all.

**Equity and Inclusion.** Proposers should clearly articulate their past performance with respect to affirmatively furthering fair housing and outline their plans to address this important objective for this project. In addition, they should provide opportunities for historically disadvantaged businesses, including minority- owned and women-owned business enterprises (M/WBEs) to grow and enhance their capacity. Proposers should clearly state a plan as how they intend to include these groups in both design and construction.

## **PART VI. MINIMUM CRITERIA**

All proposals must have a section in their proposal labeled MINIMUM CRITERIA and must provide the following documentation copies of which are attached hereto, completed and duly executed. If the proposer has placed its documentation elsewhere in this Technical Proposal, the proposer shall indicate the page number where that documentation can be found within the Technical Proposal. If documentation or identification of page number is not clearly evident for each criterion, the proposal may be deemed unresponsive.

1. Technical Proposal Cover Sheet (Exhibit 1)
2. Bidder's Qualifications & Reference Form (Exhibit 2), 2 pages
3. Certificate of Non-Collusion (Exhibit 3), 1 page
4. Certification of Tax Compliance (Exhibit 4), 1 page
5. Certificate of Foreign Corporation (if applicable) (Exhibit 5), 1 page
6. Debarment Letter (Exhibit 6), 1 page
7. IRS Form W-9 (Exhibit 7), 1 page

## **PART VII. COMPARATIVE EVALUATION CRITERIA**

The evaluation of each proposal for the Newton Armory Affordable Housing Development will be based upon the five (5) "Comparative Criteria" described in this section. Proposals which meet or exceed the Minimum Criteria will be evaluated and rated on the basis of the following Comparative Criteria. The City reserves the right to ask any proposer to provide additional supporting documentation in order to verify a response.

The Evaluation Committee will assign ratings of Highly Advantageous (HA); Advantageous (A); or Not Advantageous (NA) will be given to each of the following criteria for each proposer. A composite rating will then be determined. A composite rating of Highly Advantageous or Advantageous may be assigned only if a proposal has received at least one such rating among the criteria listed below.

To the extent that an Evaluation Criterion requires the certification of fact, the proposer's certification as to that fact shall be an adequate response provided, however, that on request the proposer shall provide to the City such evidence as the City may request to support that fact.

The Comparative Criteria are as follows:

### **1. Demonstration of the Ability to Execute an Exceptional Project**

The purpose of this criterion is to assess the extent to which proposals are able to demonstrate organization and qualifications of the development team to deliver a quality project that is able to be developed as described in the project description, based upon the team's professional credentials, experience completing projects similar in scope to the one proposed: City-owned land, preservation components, 100% affordable rental housing, LIHTC, familiarity with DHCD requirements, 40B/Special Permit process, etc.

Highly Advantageous: Proposals that most thoroughly and most effectively address all of the above requirements compared with other proposals submitted.

**Advantageous:** Proposals that address the above requirements, but do not address these requirements as effectively and thoroughly as other submitted proposals.

**Not Advantageous:** Proposals that do not offer sufficient detail or do not address all of the above requirements, and/or do not demonstrate experience with other projects similar to the one they propose.

**Unacceptable:** Proposal from teams with no demonstrated experience completing projects similar to the one proposed.

## **2. Affordability, Supportive Services, Inclusion**

The purpose of this criterion is to assess and compare how proposals address the affordability, supportive services, and equity and inclusion sections of the project description.

**Highly Advantageous:** Proposals that incorporate deep levels of affordability, robust supportive services for the intended resident population, and a significant commitment to equity and inclusion in the design and construction phases as compared with other proposals.

**Advantageous:** Proposals that address the above requirements, but do not address these requirements as effectively and thoroughly as other submitted proposals.

**Not Advantageous:** Proposals address most but not all of the above requirements.

**Unacceptable:** Proposals that do not offer sufficient detail or do not address all of the above requirements.

## **3. Exceptional Design**

The purpose of this criterion is to assess and compare how the building design and site layout articulates a compelling development vision that addresses Design, Historic Preservation, Common Area, Parking and Connectivity, Accessibility, Open Space, High Performance Building Envelope, Electrification, and Renewables.

**Highly Advantageous:** Proposals that most thoroughly and most effectively address the above requirements by presenting a more compelling vision for a well-developed project compared with other proposals submitted.

**Advantageous:** Proposals that address the above requirements but are not as effective and thorough in covering all aspects of the considerations above as other submitted proposals.

**Not Advantageous:** Proposals address more but not most of the above requirements or do not offer sufficient detail as compared with other proposals submitted.

**Unacceptable:** Proposals that do not offer sufficient detail or do not address all of the above requirements.

## **4. Financial Feasibility and Project Schedule**

The purpose of this criterion is to assess the feasibility of the proposed development and operating budgets, including the assumptions made in determining sources, uses, rental revenue, operating expenses, and permanent mortgage sizing. Additionally, this criterion will assess the feasibility of the Project Schedule.

**Highly Advantageous:** Proposals contain realistic development and operating budgets, and realistic and conservative assumptions made in determining the project's sources, uses, rental revenue, operating expenses, and permanent mortgage sizing. Additionally, proposals contain a realistic implementation plan and timetable, and a comparably shorter timetable than other proposals.

**Advantageous:** Proposals contain realistic development and operating budgets, and realistic assumptions made in determining the project's sources, uses, rental revenue, operating expenses, and permanent mortgage sizing. Additionally, proposals contain a realistic implementation plan and timetable.

**Not Advantageous:** Proposals contain development and operating budgets or a timetable for implementation that is not realistic.

Unacceptable: Proposal does not contain realistic development and operating budgets, assumptions made are not realistic and the timetable for implementation is not realistic.

## **5. Interviews**

In addition to the foregoing, the City may elect to interview proposers. In the event that it elects to do so, interviews shall be given to at a minimum the top 3 proposers ranking highest in Comparative Criteria 1-4 above.

Highly Advantageous: Proposer receives an overall rating of "highly advantageous" from the interview panel based upon materials provided, clarity of presentation and public presentation skills, and the depth of understanding the unique needs of this project.

**Advantageous:** Proposer receives an overall rating of "advantageous" from the interview panel based upon materials provided, clarity of presentation and public presentation skills, and the depth of understanding the unique needs of this project

**Not Advantageous:** Proposer receives an overall rating of "not advantageous" from the interview panel based upon materials provided, clarity of presentation and public presentation skills and the depth of understanding the unique needs of this project.

## **PART VIII. EVALUATION OF PROPOSALS AND AWARD OF CONTRACT**

The Technical Proposals will be evaluated by the Evaluation Committee chaired by the City's Planning Department which will rate the proposals. All Proposers meeting the Minimum Criteria who are responsive to this RFP will be finalists to be interviewed. The interviews will be conducted by the Evaluation Committee.

The contract will be awarded to the responsive and responsible proposer offering the most advantageous proposal, taking into consideration all evaluation criteria. All proposals shall remain firm for 90 days after the deadline for submission of proposals. The Mayor shall make the final selection of the most advantageous proposer.

In evaluating Proposals, the City will consider the qualifications of only those Proposers whose proposals are in compliance with the prescribed requirements. The City reserves the right to reject any proposal if the evidence submitted by, or the subsequent investigation of such Proposer fails to satisfy the City that the Proposer is properly qualified to carry out the obligations of the contract.

NEWTON ARMORY AFFORDABLE HOUSING DEVELOPMENT  
**Development of Affordable Housing at 1135-1137 Washington Street, Newton, Massachusetts**

**EXHIBITS**



## EXHIBIT 1

### TECHNICAL PROPOSAL COVER SHEET RFP #21-79 for Newton Armory Affordable Housing Development

This form must be completed and placed, within your Technical Proposal and ensure your envelope is marked:

“TECHNICAL PROPOSAL: RFP #21-79 for Newton Armory Affordable Housing Development”

- A. The undersigned proposes to furnish all supplies accordance with the Project Manual prepared by the City entitled:

#### NEWTON ARMORY AFFORDABLE HOUSING DEVELOPMENT

This proposal includes addenda number(s) \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,

The following documents, completed and executed, are submitted herewith:

1. Technical Proposal Cover Sheet (Exhibit 1)
2. Bidder's Qualifications & Reference Form (Exhibit 2), 2 pages
3. Certificate of Non-Collusion (Exhibit 3), 1 page
4. Certification of Tax Compliance (Exhibit 4), 1 page
5. Certificate of Foreign Corporation (if applicable) (Exhibit 5), 1 page
6. Debarment Letter (Exhibit 6), 1 page
7. IRS Form W-9 (Exhibit 7), 1 page

Name of Proposer: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Signature of Duly Authorized Representative of Proposer:

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

*(Please print clearly)*

Title: \_\_\_\_\_

Dated: \_\_\_\_\_

## EXHIBIT 2

### CITY OF NEWTON

#### BIDDER'S QUALIFICATIONS AND REFERENCES FORM

All questions must be answered, and the data given must be clear and comprehensive. Please type or print legibly. If necessary, add additional sheet for starred items. This information will be utilized by the City for purposes of determining bidder responsiveness and responsibility with regard to the requirements and specifications of the Contract.

1. FIRM NAME: \_\_\_\_\_

2. WHEN ORGANIZED: \_\_\_\_\_

3 INCORPORATED? \_\_\_\_\_ YES \_\_\_\_\_ NO DATE AND STATE OF INCORPORATION:  
\_\_\_\_\_

4. IS YOUR BUSINESS A **MBE**? \_\_\_\_\_ YES \_\_\_\_\_ NO **WBE**? \_\_\_\_\_ YES \_\_\_\_\_ NO or **MWBE**? \_\_\_\_\_ YES  
\_\_\_\_\_ NO

\* 5. LIST ALL CONTRACTS CURRENTLY ON HAND, SHOWING CONTRACT AMOUNT AND  
ANTICIPATED DATE OF COMPLETION:

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\* 6. HAVE YOU EVER FAILED TO COMPLETE A CONTRACT AWARDED TO YOU?  
\_\_\_\_\_ YES \_\_\_\_\_ NO  
IF YES, WHERE AND WHY?

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\* 7. HAVE YOU EVER DEFAULTED ON A CONTRACT? \_\_\_\_\_ YES \_\_\_\_\_ NO  
IF YES, PROVIDE DETAILS.

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\* 8. LIST YOUR VEHICLES/EQUIPMENT AVAILABLE FOR THIS CONTRACT:

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\* 9. IN THE SPACES FOLLOWING, PROVIDE INFORMATION REGARDING CONTRACTS  
COMPLETED BY YOUR FIRM SIMILAR IN NATURE TO THE PROJECT BEING BID. A MINIMUM

OF FOUR (4) CONTRACTS SHALL BE LISTED. PUBLICLY BID CONTRACTS ARE PREFERRED, BUT NOT MANDATORY.

PROJECT NAME: \_\_\_\_\_  
OWNER: \_\_\_\_\_  
CITY/STATE: \_\_\_\_\_  
DOLLAR AMOUNT: \$ \_\_\_\_\_ DATE COMPLETED: \_\_\_\_\_  
PUBLICLY BID? \_\_\_\_\_ YES \_\_\_\_\_ NO  
TYPE OF WORK?: \_\_\_\_\_  
CONTACT PERSON: \_\_\_\_\_ TELEPHONE #: \_\_\_\_\_  
CONTACT PERSON'S RELATION TO PROJECT?: \_\_\_\_\_  
(i.e., contract manager, purchasing agent, etc.)  
\_\_\_\_\_

PROJECT NAME: \_\_\_\_\_  
OWNER: \_\_\_\_\_  
CITY/STATE: \_\_\_\_\_  
DOLLAR AMOUNT: \$ \_\_\_\_\_ DATE COMPLETED: \_\_\_\_\_  
PUBLICLY BID? \_\_\_\_\_ YES \_\_\_\_\_ NO  
TYPE OF WORK?: \_\_\_\_\_  
CONTACT PERSON: \_\_\_\_\_ TELEPHONE #: \_\_\_\_\_  
CONTACT PERSON'S RELATION TO PROJECT?: \_\_\_\_\_  
(i.e., contract manager, purchasing agent, etc.)  
\_\_\_\_\_

PROJECT NAME: \_\_\_\_\_  
OWNER: \_\_\_\_\_  
CITY/STATE: \_\_\_\_\_  
DOLLAR AMOUNT: \$ \_\_\_\_\_ DATE COMPLETED: \_\_\_\_\_  
PUBLICLY BID? \_\_\_\_\_ YES \_\_\_\_\_ NO  
TYPE OF WORK?: \_\_\_\_\_  
CONTACT PERSON: \_\_\_\_\_ TELEPHONE #: \_\_\_\_\_  
CONTACT PERSON'S RELATION TO PROJECT?: \_\_\_\_\_  
(i.e., contract manager, purchasing agent, etc.)  
\_\_\_\_\_

PROJECT NAME: \_\_\_\_\_  
OWNER: \_\_\_\_\_  
CITY/STATE: \_\_\_\_\_  
DOLLAR AMOUNT: \$ \_\_\_\_\_ DATE COMPLETED: \_\_\_\_\_  
PUBLICLY BID? \_\_\_\_\_ YES \_\_\_\_\_ NO  
TYPE OF WORK?: \_\_\_\_\_  
CONTACT PERSON: \_\_\_\_\_ TELEPHONE #: \_\_\_\_\_  
CONTACT PERSON'S RELATION TO PROJECT?: \_\_\_\_\_  
(i.e., contract manager, purchasing agent, etc.)  
\_\_\_\_\_

10. The undersigned certifies that the information contained herein is complete and accurate and hereby authorizes and requests any person, firm, or corporation to furnish any information requested by the City in verification of the recitals comprising this statement of Bidder's qualifications and experience.

DATE: \_\_\_\_\_ BIDDER: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_

### **EXHIBIT 3**

#### **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 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 or individuals.

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(Signature of individual)

---

Name of Business

## EXHIBIT 4

### CERTIFICATION OF TAX COMPLIANCE

Pursuant to M.G.L. c.62C, §49A and requirements of the City, the undersigned acting on behalf of the Contractor certifies under the penalties of perjury that the Contractor is in compliance with all laws of the Commonwealth relating to taxes including payment of all local taxes, fees, assessments, betterments and any other local or municipal charges (unless the Contractor has a pending abatement application or has entered into a payment agreement with the entity to which such charges were owed), reporting of employees and contractors, and withholding and remitting child support.\*

\_\_\_\_\_  
\*\*Signature of Individual (Mandatory)

\_\_\_\_\_  
\*\*\* Contractor's Social Security Number  
(Voluntary) or Federal Identification Number

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

**OR**

\_\_\_\_\_  
Company Name  
(Corporation, Partnership, LLC, etc.)

By: \_\_\_\_\_  
\*\*Corporate Officer (Mandatory)

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

\* The provision in this Certification relating to child support applies only when the Contractor is an individual.

\*\* Approval of a contract or other agreement will not be granted until the City receives a signed copy of this Certification.

\*\*\* Your social security number may be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Providers who fail to correct their non-filing or delinquency will not have a contract or other agreement issued, renewed, or extended.

## EXHIBIT 5

### CERTIFICATE OF FOREIGN CORPORATION

The undersigned hereby certifies that it has been duly established, organized, or chartered as a corporation under the laws of:

---

**(Jurisdiction)**

**The undersigned further certifies that it has complied with the requirements of M.G.L. c. 30, §39L (if applicable) and with the requirements of M.G.L. c. 156D, §15.03 relative to the registration and operation of foreign corporations within the Commonwealth of Massachusetts.**

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**Name of person signing proposal**

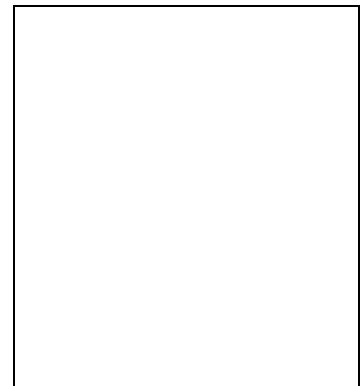
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**Signature of person signing proposal**

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**Name of Business (Please Print or Type)**

*Affix Corporate Seal here*





## EXHIBIT 6



Mayor  
Ruthanne Fuller

**Purchasing Department**  
Nicholas Read ☎ *Chief Procurement Officer*  
1000 Commonwealth Avenue  
Newton Centre, MA 02459-1449  
purchasing@newtonma.gov

Telephone  
(617) 796-1220  
Fax:  
(617) 796-1227  
TDD/TTY  
(617) 796-1089

Vendor

Re: Debarment Letter for Invitation For Bid #21-79

As a potential vendor on the above contract, the City requires that you provide a debarment/suspension certification indicating that you are in compliance with the below Federal Executive Order. Certification can be done by completing and signing this form.

**Section 1.01**      Debarment:

**Federal Executive Order (E.O.) 12549 “Debarment and Suspension” requires that all contractors receiving individual awards, using federal funds, and all sub-recipients certify that the organization and its principals are not debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency from doing business with the Federal Government.**

I hereby certify under pains and penalties of perjury that neither I nor any principal(s) of the Company identified below is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

\_\_\_\_\_(Name)  
\_\_\_\_\_(Company)  
\_\_\_\_\_(Address)  
\_\_\_\_\_(Address)  
PHONE \_\_\_\_\_ FAX \_\_\_\_\_

EMAIL \_\_\_\_\_

\_\_\_\_\_.Signature

\_\_\_\_\_.Date

.If you have questions, please contact Nicholas Read, Chief Procurement Officer at (617) 796-1220.

## EXHIBIT 7

<b>Form W-9</b> (Rev. October 2007) Department of the Treasury Internal Revenue Service	<b>Request for Taxpayer Identification Number and Certification</b>	<b>Give form to the requester. Do not send to the IRS.</b>			
<b>Print or type See Specific Instructions on page 2.</b>	Name (as shown on your income tax return)				
	Business name, if different from above				
	Check appropriate box: <input type="checkbox"/> Individual/Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Limited liability company. Enter the tax classification (D=disregarded entity, C=corporation, P=partnership) ▶ ..... <input type="checkbox"/> Exempt <input type="checkbox"/> Other (see instructions) ▶				
	Address (number, street, and apt. or suite no.)				
	City, state, and ZIP code				
Requester's name and address (optional)					
List account number(s) here (optional)					
<b>Part I Taxpayer Identification Number (TIN)</b>					
<p>Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see <i>How to get a TIN</i> on page 3.</p> <p><b>Note.</b> If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.</p>					
<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="text-align: center;">Social security number</td></tr><tr><td style="text-align: center;">or</td></tr><tr><td style="text-align: center;">Employer identification number</td></tr></table>			Social security number	or	Employer identification number
Social security number					
or					
Employer identification number					
<b>Part II Certification</b>					
<p>Under penalties of perjury, I certify that:</p> <ol style="list-style-type: none"><li>The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and</li><li>I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and</li><li>I am a U.S. citizen or other U.S. person (defined below).</li></ol> <p><b>Certification instructions.</b> You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. See the instructions on page 4.</p>					
<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 20%;"><b>Sign Here</b></td><td style="width: 40%;">Signature of U.S. person ▶</td><td style="width: 40%;">Date ▶</td></tr></table>			<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶
<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶			
<b>General Instructions</b>					
<p>Section references are to the Internal Revenue Code unless otherwise noted.</p> <p><b>Purpose of Form</b></p> <p>A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, contributions you made to an IRA.</p> <p>Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:</p> <ol style="list-style-type: none"><li>Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).</li><li>Certify that you are not subject to backup withholding, or</li><li>Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.</li></ol> <p><b>Note.</b> If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.</p>					
<p><b>Definition of a U.S. person.</b> For federal tax purposes, you are considered a U.S. person if you are:</p> <ul style="list-style-type: none"><li>• An individual who is a U.S. citizen or U.S. resident alien,</li><li>• A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,</li><li>• An estate (other than a foreign estate), or</li><li>• A domestic trust (as defined in Regulations section 301.7701-7).</li></ul> <p><b>Special rules for partnerships.</b> Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.</p> <p>The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:</p> <ul style="list-style-type: none"><li>• The U.S. owner of a disregarded entity and not the entity,</li></ul>					

## APPENDIX

### LIST OF ATTACHMENTS

- A. Washington Street Plan – Page 1
- B. Newton Housing Needs – Page 113
- C. Special Legislation - Page 215
- D. JAPG Report– Page 219
- E. Consultant – Page 1111
- F. Title – Page 1186
- G. Alta Survey – Page 1193
- H. Phase I and Phase II – Page 1194
- I. Hazmat Report – Page 2025
- J. Structural Report – Page 2049
- K. Inventory Form – Page 2078
- L. MHC Adverse Effect Letter – Page 2082
- M. Executed MOA – Page 2083
- N. Newton Zoning Ordinance – Page 2089
- O. Climate Action Plan – Page 2277
- P. Memorandum of Intent to Negotiate Lease– Page 2398