

# RFP

## REQUEST FOR PROPOSALS FOR THE DEVELOPMENT OF 40 RIVER STREET, NORWELL, MA



**Date Issued:** November 4, 2015

**Due Date for Responses:** January 15, 2016

Applications will be accepted no later than 3:00 P.M.

**LATE PROPOSALS WILL NOT BE ACCEPTED.**

This Request for Proposals was developed in accordance with the requirements of Chapter 30B and the state Inspector General's Procurement Manual, the Disposition of Public Land.

## **Members of the Norwell Community Housing Trust**

Bruce S. Burgess  
Brian D'Souza  
Elizabeth Hibbard  
Patricia Richardson  
Gregg McBride, Selectmen Representative  
Andrew Reardon  
Patricia Lederer  
Peter Shea, Chair

---

# TABLE OF CONTENTS

<b><u>REQUEST FOR PROPOSALS FOR THE DEVELOPMENT OF 40 RIVER STREET, NORWELL, MA</u></b>	<b>1</b>
<b><u>LEGAL NOTICE</u></b>	<b>1</b>
<b>REQUEST FOR PROPOSALS</b>	<b>1</b>
<b><u>OVERVIEW</u></b>	<b>2</b>
<b>COMMUNITY PROFILE</b>	<b>2</b>
<b>PURPOSE OF THE PROJECT</b>	<b>3</b>
<b><u>PROPERTY DESCRIPTION</u></b>	<b>5</b>
<b>DUE DILIGENCE AND PREDEVELOPMENT COMPLETED</b>	<b>5</b>
<b>PARCEL IDENTIFICATION NUMBER</b>	<b>6</b>
<b>ZONING</b>	<b>6</b>
<b>PUBLIC SERVICES AND UTILITIES</b>	<b>6</b>
<b>FLOOD PLAIN</b>	<b>7</b>
<b>ABUTTING USES</b>	<b>7</b>
<b><u>PROGRAM GUIDELINES AND FINANCING</u></b>	<b>8</b>
<b>TOWN COMMITMENTS</b>	<b>8</b>
<b>OBLIGATIONS OF THE DEVELOPER AND DESIGN AND CONSTRUCTION GUIDELINES</b>	<b>9</b>
<b>EQUAL OPPORTUNITY</b>	<b>12</b>
<b><u>SUBMISSION AND SELECTION PROCESS</u></b>	<b>13</b>
<b>SUBMISSION OF THE RFP</b>	<b>13</b>
<b>PRE-SUBMISSION CONFERENCE</b>	<b>14</b>
<b>CONTENTS OF SUBMISSIONS</b>	<b>14</b>
<b>REVIEW &amp; SELECTION OF PROPOSALS</b>	<b>17</b>
<b>MINIMUM THRESHOLD REQUIREMENTS</b>	<b>18</b>
<b>COMPETITIVE SELECTION CRITERIA</b>	<b>18</b>
<b><u>RFP CONDITIONS, TERMS, AND LIMITATIONS</u></b>	<b>24</b>
<b><u>DEVELOPMENT AGREEMENT TERMS AND CONDITIONS</u></b>	<b>25</b>
<b><u>SELECTION PROCESS</u></b>	<b>25</b>
<b>POST SELECTION</b>	<b>26</b>
<b><u>ATTACHMENTS</u></b>	<b>27</b>
<b>1. ASSESSOR'S MAP</b>	<b>27</b>
<b>2. FEMA FLOOD MAP</b>	<b>27</b>
<b>3. SUBMISSION CHECKLIST</b>	<b>27</b>

<b>4. PRELIMINARY DEVELOPMENT BUDGET TEMPLATE FOR SUBMISSION</b>	<b>27</b>
<b>5. RESPONDENT QUESTIONNAIRE</b>	<b>27</b>
<b>6. RESIDENTIAL DEVELOPMENT EXPERIENCE</b>	<b>27</b>
<b>7. Required Disclosures- Conflict of Int.; Corp Bidder; Foreign Corp; Undoc. Workers</b>	<b>ERROR! BOOKMARK NOT DEFINED.</b>
<b>8. STATEMENT OF TAX COMPLIANCE</b>	<b>27</b>
<b>9. CERTIFICATE OF NON-COLLUSION</b>	<b>27</b>
<b>10. MERRILL CONCEPTUAL SITE PLAN DATED MARCH 17, 2014</b>	<b>27</b>
<b>11. MERRILL ADVANCED SITE PLAN OCTOBER 28, 2014</b>	<b>27</b>
<b>12. BONZ AND COMPANY RENT AND DEMAND ANALYSIS DATED AUGUST 25, 2015</b>	<b>27</b>
<b>13. ASTM E 1527-13 PHASE I ENVIRONMENTAL SITE ASSESSMENT OCTOBER 2014</b>	<b>27</b>
<b>SUMMARY</b>	<b>27</b>
<b>14. DEED</b>	<b>27</b>
<b>15. TOWN MEETING VOTE</b>	<b>27</b>
<b>16. ANRAD APPROVAL</b>	<b>27</b>
<b>17. CONTEXT MAP</b>	<b>27</b>
<b>18. TOWN MEETING PRESENTATION MATERIALS</b>	<b>27</b>

# Legal Notice

## Request for Proposals

The Town of Norwell, through the Norwell Community Housing Trust (NCHT), is seeking qualified developers to submit proposals to develop the Town-owned parcel at 40 River Street in the Town of Norwell. The project involves the demolition of a former police station and development of the site into a new construction mixed-income senior housing development with up to eighteen (18) rental units as long as this number of units complies with septic, wetlands and other regulatory and physical constraints. See Assessors Map as Attachment 1 and Context Map as Attachment 17 for more information locating the property location and context.

The purpose of this RFP is to select a developer with demonstrated experience and capacity to carry out a development project that best addresses the needs and goals of the community as described in this RFP. The most advantageous proposal from a responsive and responsible proposer, taking into consideration all evaluation criteria set forth in the RFP, will be selected. The NCHT intends to enter into a development agreement with the selected developer and convey the property to the developer, with deed restrictions.

A full Request for Proposals package will be available November 4, 2015 for download at [http://www.townofnorwell.net/Public\\_Documents/NorwellMA\\_40River/index](http://www.townofnorwell.net/Public_Documents/NorwellMA_40River/index)

or by contacting the Town Administrator, Peter Morin who is Norwell's Chief Procurement Officer. Questions must be received prior to January 5, 2015 and shall be addressed in writing to Peter Morin, Town Administrator, at [pmorin@townofnorwell.net](mailto:pmorin@townofnorwell.net) or by mail to:

Town Offices  
345 Main Street  
Norwell, MA 02061

A Pre-submission conference will be held at 10:00 A.M. on November 20, 2015 at Norwell Town Offices, followed by a site tour.<sup>1</sup> NCHT strongly encourages, but does not require, all proposers to participate in the conference. All proposals are due on January 15, 2016 to the Town Administrator's office by 3:00pm. At that time and place said proposals shall be publicly opened. **Late proposals will not be accepted.** Any contract issued in response to a successful proposal must be approved by the Norwell Community Housing Trust. The Trust reserves the right to reject any and all proposals.

---

<sup>1</sup> **Directions to Norwell Town Offices:** Take the Route 53 North exit (Exit 13) off of Route 3 toward Route 123 Norwell/Hingham. Turn left onto Route 53/Washington Street. After approximately ½ mile, turn right onto Webster Street/Route 123. Continue to follow Route 123 about a 1½ miles and 345 Main Street (a former school) will be on the left.

# Overview

## Community Profile

The Town of Norwell is a desirable suburban community in Plymouth County, about 20 miles south of Boston and is bordered by Hanover and Rockland on the west, Pembroke on the south, Marshfield and Scituate on the east and northeast, and Hingham on the north. Norwell, like the idealized small New England village, has a distinctly historic character and continues to be a desirable place to move to, work in, and raise children.



However, since an affordability gap exists, largely outside of the Town's control due to demographic and economic conditions, the Town wants to strategically plan for future residential development. As indicated in Norwell's 2005 Master Plan, "by establishing a proactive affordable housing policy, Norwell can shape affordable housing to fit its own needs for more diversity in housing types and affordability, while still complementing the town's traditional development patterns and meeting state goals". Furthering the intent of being proactive, Norwell created a Planned Production Program, which was approved by DHCD in 2012.

Norwell is feeling growing pains like many of its neighbors, trying to absorb what has been until fairly recently an overheated housing market. Following World War II, the Town of Norwell experienced a substantial building boom, changing from a relatively rural community to a more suburban town and growing from 2,515 residents in 1950 to 7,796 by 1970. Norwell's population has been growing more slowly but steadily since then. From 1970 to 2000, the population increased 25%, or by 1,969 residents, from a population of 7,796 residents to 9,765. The 2010 US Census records a population total of 10,506 residents, remaining the same through 2012.

This growth put enormous pressures on the housing market, and housing growth in fact even outpaced total population growth between 1980 and 2010, as the population increased 16.5% while the number of housing units grew 29.9%. This situation was largely reflective of a growing number of smaller households. All of the growth occurred in the owner-occupied housing stock.

Fewer new units are now being built to accommodate new residents, and in tandem with wetland and zoning limitations that restrict new development, the cost of existing and any new housing is increasing. Even those with incomes at the median income level of more than \$114,000 are unlikely to find a house they can afford in today's market. Norwell now has approximately 3,700 housing units – almost all owner-occupied, single-family houses on at least one-acre lots – with a median price of about \$575,000. High housing costs are also reflected in increased property taxes, energy bills and insurance costs.

The escalation of property values has increased the wealth of those who bought years ago, but many residents of Norwell would not be able to purchase their homes today. Some long-time residents, particularly seniors living on fixed incomes, may even find themselves "equity rich but cash-poor" as they struggle to pay the taxes on greatly appreciated property. Entry-level Norwell Town employees would have a difficult time entering the local housing market even with two household incomes.

In regard to the rental housing, such units are scarce in Norwell with a total of 338 total rental units. The combination of high rental costs and utility costs as well as up-front lease requirements (first and last month's rent and a security deposit), create further barriers to finding housing in Norwell.

The supply of affordable housing is also limited. Of the 3,652 year-round housing units, the state counts 271 units, or 7.42%, as affordable as of December 2014. The Norwell Housing Authority (NHA) owns and manages 80 of these units for seniors and younger disabled adults at Norwell Gardens. The development typically has a wait list of about 35 applicants, about half being seniors and the other half young disabled residents. There are currently no vacancies and a typical wait for a unit is about a year and a half.

The combination of large affordability gaps and limited affordable housing opportunities has caused local leaders and residents to recognize that different strategies are needed to better plan for housing development and insure that it is more directed to serving the range of local needs and objectives. Consequently, the Town updated its 2006 Affordable Housing Plan and prepared a Housing Production Plan that was approved by the state in 2012 under Massachusetts General Laws Chapter 40B, 760 CMR 56.00.

This Housing Production Plan acknowledged that in order to boost the Town's supply of affordable housing and meet production goals, it is essential that the Town reach out to the development community and sources of public and private financing to secure the necessary technical and financial resources. The private sector has on its own not produced sufficient amounts of affordable housing under current market conditions and existing zoning.

Publicly sponsored initiatives and incentives to engage the private sector are critical to boosting the level of housing affordability in Norwell. In fact all of the development strategies included in the Housing Plan relied on joint ventures with developers – for profit and non-profit – to create affordable units.

## **Purpose of the Project**

This RFP represents one of the Town's early efforts to implement its Housing Plan by tackling a major housing production strategy – to prepare and issue competitive Requests for Proposals (RFP's) for the selection of developers of Town-owned property. The Housing Production Plan in fact identified four (4) priority housing needs. The first priority is the need for additional rental housing.

Rental units are the top need to create more affordable housing choices. Some findings from the housing needs study follow:

- Hard to find a two-bedroom rental unit for less than \$1,300 in the area
- Few unsubsidized rentals
- Substantial waitlists for NHA units

The NCHT is focused in this initial development effort to serve the affordable housing needs of empty nesters and seniors. This RFP specifically addresses this priority housing need with a focus on affordable senior rental housing.

The proposed project consists of developing as many as 18 units of mixed-income senior 60+ housing on the site of a former Police Station located at 40 River Street with half of the units directed to those earning at or below 80% of area median income (AMI) and the other half targeted to those with incomes between 80% and 100% AMI.

The NCHT commissioned Bonz and Company to undertake a rent and demand analysis for a potential 40 River all affordable senior project with this even mix of 80% and 100% AMI units (attachment 12).



Per the Bonz analysis, the demand for these affordable units is expected to be very strong at each level of proposed affordability.

NCHT has received Town Meeting approval (see Attachment 16) with well beyond the 2/3<sup>rd</sup> majority required to sponsor the development of senior housing at 40 River Street. This is very much a community-based project enjoying extensive town support.

### **Norwell Community Housing Trust Background**

The Norwell Community Housing Trust (NCHT) was formed and approved by Town Meeting in May 2012. The NCHT replaced two pre-existing committees - the Norwell Affordable Housing Trust and the Norwell Affordable Housing Partnership. With the exception of two Habitat for Humanity homes (partially funded by Town of Norwell), there has not been any affordable housing development involving the Town of Norwell historically. For many years, the Norwell Housing Authority has managed 80 units in Norwell for seniors with limited income as well as those with disabilities. Other than this, all of the affordable units have been 40B developments completed by private developers.

The NCHT runs a senior grant program to assist those with limited incomes in homes that are in need of repair. The repairs are performed only if there are health or safety reasons.

The NCHT also acts as the Town's Monitoring Agent. As affordable homes or condominiums come on the market, the NCHT purchases the home, and then sells it to ensure the affordable units remain that way in perpetuity.

The proposed Senior Housing development at 40 River Street is the first 40B development the Town will be actively and financially involved in. As shown by the vote taken at the May 2015 Town Meeting, there is overwhelming support from the Town (Selectmen, Community Preservation Commission, and its residents) to develop affordable housing for our seniors who are having difficulty paying high property taxes and keeping up with the maintenance on their homes.

Once this Senior Housing development is successfully completed, we anticipate creating additional, similar developments, around the Town of Norwell.

This potential development, described below, is located in Norwell's town center. As such, it is a high visibility project. To be successful, it will have to meet the affordable housing needs and social services described above and always look attractive and be well maintained.



## PROPERTY DESCRIPTION

The Town of Norwell through the NCHT owns an approximately 2.56 acre site (111,592 square feet) that includes a former Police Station. This building was built in 1970 with 1½ stories and 6,560 square feet of space. It is required that this building, which is a wood frame building with brick facing and a concrete foundation, be demolished and replaced by the new housing development. Of the 2.56 acres, approximately 1.2 acres are upland and .92 acres are wetlands. These wetlands have been flagged and approved as wetlands per an ANRAD approval by the Norwell Conservation Commission on September 15, 2015 (see attachment 16).

The property is located in Norwell Center and the development is consistent with the Town of Norwell's objective of creating a more vibrant Town Center. The Norwell Planning Board has recently sponsored the creation of an enhanced sidewalk and road design to make the Town Center more walkable. In addition, a Town network of "path walks," including a segment in front of 40 River Street, is under construction which allows bicycle and pedestrian off-road recreation over a large area of Town. Residents will be able to walk a short distance to the Town Center and help support retail and other nearby services as well as access dedicated Conservation areas. Attachment 17 provides a Town Center context for the development and shows the cultural and business amenities which are nearby.

### Due Diligence and Predevelopment Completed

In an effort to better understand the site and complete some predevelopment tasks, the NCHT hired Merrill Engineers and Land Surveyors Associates to undertake survey, existing conditions with one foot contours, zoning analysis, preliminary septic design, storm water design proposed utility etc. Merrill has prepared a Conceptual plan dated March 17, 2014, an Advanced Concept Plan dated October 28, 2014 and Advanced Feasibility Study (10.31.13) (See Attachments 10 and 11). As can be seen below, the NCHT has hired a number of professionals to complete due diligence and predevelopment tasks.

**Survey.** Existing Conditions and Contour information is Included on Merrill Advanced Concept Plan (See attachments 10 and 11).

**Wetlands.** Merrill Engineers and Land Surveyors completed soil tests and flagged the approximate 1 acre of wetlands and the Norwell Conservation Commission approved the wetland delineation through the ANRAD approval process on September 15, 2015 (attachment 16).

**Environmental:** ASTM E 1527-13 Phase I Environmental Site Assessment October 2014. The NCHT hired GREEN to make a Phase I Environmental Assessment of 40 River Street which is attachment 13. "The assessment has revealed evidence of historical REC's in connection with the Property. However, based upon the information reviewed, the gasoline identified in January 1999 has been addressed to the satisfaction of the applicable regulatory authority (DEP) and meets unrestricted use criteria."

**Sewage Disposal:** Treatment of sewage will require an on-site subsurface sewage disposal system as specified by the MassDEP Title 5 requirements. Preliminary plan has been completed by Merrill on an Advanced Concept Plan dated October 28, 2014 and Advanced Feasibility Study (10.31.13). Both are attached as items 10 and 11.

**Stormwater:** Merrill Engineers and Land Surveyors also completed a preliminary storm water design that “meets all the applicable DEP standards as required in Stormwater Management Regulations. See Advanced Feasibility Study (10.31.13) as attachments 10 and 11.

**Design:** NCHT hired Vcevy Strekalovsky who completed conceptual building plans that are included in the Town Meeting presentation package as attachment 18. These building plans set a sense of what the town has been previewing in terms of the scale and context of the potential development.

## Parcel Identification Number

The property is identified as parcel number Block 58 Lot 64 according to Assessor’s records. The Assessor’s map of the parcel is included as Attachment 1.

## Zoning

The existing zoning is in the Residence A Zoning District, which while allowing residential uses, restricts such use to detached single-family homes or the conversion of such homes to two or three units. It is the premise of this RFP that the development will be permitted through a “friendly 40B” comprehensive permit as part of the state’s Local Initiative Program (LIP). Details on the existing zoning can be found by reviewing the Town’s Zoning Bylaw at

[www.townofnorwell.net](http://www.townofnorwell.net). The Merrill site plans (attachment 10 and 11) also provides some zoning information, the approved wetland delineation, storm water design meeting DEP stormwater management regulation and a preliminary septic system design per Title 5 requirements.

### ZONING DATA:

<u>ZONING DISTRICT:</u>	RESIDENCE A
	<u>REQUIREMENT</u>
<u>LOT AREA:</u>	1 ACRE
<u>FRONTAGE + WIDTH:</u>	80 FT. + 150 FT. DIA BUILDING CIRCLE
<u>FRONT YARD:</u>	50 FT. FROM STREET LINE/75 FT. FROM C.L.
<u>SIDE YARD:</u>	20 FT.
<u>REAR YARD:</u>	20 FT.

## Public Services and Utilities

There are a number of utility services available to the River Street property including the following:

- Electricity provided by National Grid
- Gas provided by Columbia Gas
- Telephone provided by Verizon
- Water service provided by the Town of Norwell
- Cable provided by Comcast or Verizon

The electric and other cable utilities are located on overhead transmission poles along River Street. The Town of Norwell provides water service at the site, including a fire hydrant at the location.

In an effort to better understand the site and complete some predevelopment tasks, the NCHT hired Merrill Engineers and Land Surveyors Associates to undertake survey, existing conditions with one foot contours, zoning analysis, preliminary septic design, storm water design proposed utility etc. Merrill has prepared a Conceptual plan dated March 17, 2014, an Advanced Concept Plan dated October 28, 2014 and Advanced Feasibility Study (10.31.13 (See Attachments 10 and 11).

## **Flood plain**

See Attachment 2 for FEMA Flood Protection Map.

## **Abutting Uses**

Please see Attachment 1 which shows the parcel and abutting parcels as found on Norwell's on line mapping information. The Norwell on line mapping system can be used to identify nearby parcels at the greater distance.

**Note: All bidders are responsible for their own due diligence on all aspects of the project.**

# PROGRAM GUIDELINES AND FINANCING

## Town Commitments

The Town of Norwell is making the property available for mixed-income housing through the commitment of several important resources including the following:

- Per the Town Meeting vote, 40 River Street will be sold to the selected developer for a nominal amount (versus assessed value \$274,200). This nominal sale value provides a substantial subsidy to help make the development financially feasible while providing affordable units.
- The Norwell Community Preservation Committee has already voted in favor of funding \$500,000 (already-collected) for this Senior Housing Development.
- The Community Housing Trust (CHT) has allocated up to \$500,000 from already-collected funds.
- The Town of Norwell has the ability to commit additional Community Preservation funding and Affordable Housing Trust Funds towards this development subsequent to required funding approvals and demonstration of critical financial need.
- The NCHT and the Town of Norwell will provide letters of support for the selected developer's application(s) to DHCD and other potential funding sources to secure additional subsidies to make the development financially feasible. NCHT recognizes that deed restrictions and other affordability requirements will be included with DHCD and other funding sources.
- **SOCIAL SERVICE SUPPORT FOR SENIORS.** The NCHT understands that a program of social services for senior is very important to the well-being of these residents as well as being a distinguishing factor in receiving funding support from DHCD. NCHT will be hiring a housing coordinator whose responsibilities will include obtaining and managing the delivery of appropriate social services to residents.

In sum, the NCHT is prepared to be a strong sponsor both in selecting a qualified developer and then supporting with social services and other needs potentially as the case may be.

## Obligations of the Developer and Design and Construction Guidelines

The NCHT is seeking a developer to build a maximum of 18 affordable rental units on the site. Energy efficiency and maintainability of the building for the long term are desirable features. The bedroom mix should be based on the senior housing program, the site's capacity, good site planning and landscaping considerations, and the market and financial feasibility of a mixed income affordable rental project.

### Affordability

At a minimum, the affordability requirements for the property must align with M.G.L. Ch. 44B, the CPA law and the requirements of affordability necessary for inclusion on the Subsidized Housing Inventory. The NCHT prefers a mix of 80% AMI units and 100% AMI units. These "affordable units must remain that way in perpetuity" and this will be a moderate income project.

The 100% AMI units are included to assist those who are selling their homes and may want to stay in Norwell. The units also provide a modest subsidy in terms of supporting debt. All units will be deed-restricted, even the 100% AMI units. The proposer should include a clear analysis as to the levels of affordability and the reasoning behind the proposed unit and income mix. We are seeking affordability by design in addition to restriction.

### Unit Types

The development should reflect needs of senior residents age 60 and up. The NCHT is interested in the inclusion of units that are intentionally designed as 'universally accessible' providing single-floor living. The mix for discussion purposes has always been an equal distribution of one and two bedroom units but applicants should propose a recommended mix.

### Senior Services Support Available for Proposed Development

The town of Norwell is extremely fortunate to have a long-standing and strong support system in place for our senior community, utilizing both public and private resources.

The Norwell Visiting Nurse Association (NVNA) has an impressive track record of supporting community based initiatives. They are currently under contract with the Norwell Housing Authority and are looking forward to working with and supporting the 40 River Street project. Their community based programs provide on-site medical support and wellness programs as well as public health nursing services.

The Norwell Council on Aging is a vibrant town agency focused on serving seniors with drop in services, meals on wheels, social service support as well as sponsoring numerous educational and social events.

The Town has made a significant investment over the past several years in building an advanced life support system (ALS) within the Norwell Fire Department. The ALS program works with South Shore Hospital and by extension within the Metropolitan Boston Emergency Medical community. This particular program is coming into being at an exciting time in health care, as Massachusetts embraces the concept of integrated Health Care and the capacity to deliver quality health care.

Residents of the 40 River Street project may have all these resources available to them if solicited and coordinated by the designated developer. The NCHT also expects to assist in the coordination of these important social services through its housing coordinator.

### Building Design and Aesthetics

The development's architecture should reflect the local historical, design vernacular and be a stellar example of superior design; both interior and exterior. A three story building has been envisioned and presented to Town Meeting as shown in the Town Meeting Presentation package (attachment 15). These images of this proposed building established a public expectation about what may be built. The NCHT has made a decision to be as non-prescriptive regarding the design requirements other than indicating that it should be no more than three stories and fit the local historical context of the neighboring Church and other buildings. Exterior finish treatments could include clapboard that is wood, hardiplank, or equivalent material (not vinyl siding). Otherwise, proposers are encouraged otherwise to be creative with building design, site layout and landscaping.

Proponents are encouraged to use their creativity and experience in the choice of materials and methods of construction that will minimize regular maintenance costs and are energy efficient. The overall project design will be judged as part of the Comparative Analysis.

### Support of Village Center Plan

This project has always been envisioned as supporting the Village Center Plan. Please see Attachment 17, Context Map which shows the cultural context for the immediate environs of 40 River Street. The senior residents and visitors to the development will be in walking distance to the downtown merchants, the First Parish Church, Gaffield Park, the Post Office, the James Library, the Cushing Center, and the Norris Reservation. This increased activity will, in turn, make the center attractive to potential merchants. Over time, the village will become a vibrant part of the community.

### Energy Efficiency

The NCHT is looking for proposals that include building and site designs that increase the tenants' energy and water savings and limit the project's environmental impact. Support energy conservation by insuring that the project complies with EPA's Energy Star guidelines for appliances, lights, and other sustainable design options to the greatest extent possible. Moreover, building orientation and materials shall maximize solar exposure.

Details regarding sustainable design features should be incorporated into the project description.

### Lighting

LED certifiable energy-saving lighting should be used throughout the building to the greatest extent possible. LED certifiable energy-saving lighting should also be used outdoors. Lighting should provide for pedestrian and vehicle safety while at the same time located and directed so as to limit its impact on the adjacent neighborhood.

### "Green" Building

Proposals should include any efforts to utilize "green" building technology, and outline the proposed techniques and specifications of materials to be used. Norwell is a "Stretch Code community" so that this code will be the required baseline. Proposers should provide examples of completed projects that make specific efforts to utilize green building techniques or even achieve LEED standards. Proposals that do not identify commitments to employ green building technology will not receive a rating. Proposals should outline individual potential measures and the integration of them will help us establish a comprehensive Energy and Green Strategy.

### Handicapped accessibility

All living areas must be accessible to the physically disabled per DHCD funding guidelines.

## Site

This site has town water, but no public sewer. Each applicant development team must demonstrate their development experience with private septic systems. A preliminary septic design has been completed by Merrill Associates as indicated on attachments 10 and 11. The wetlands have been flagged and an ANRAD has been approved and is included as attachment 16.

The NCHT welcomes landscaping and other site features that will be suitable for senior housing use and for visitors as well.

Storm water management shall be consistent with DEP Storm water Standards and Handbooks. Low impact development designs and technologies should be used to the maximum extent possible.

The Merrill site plans are not definitive. They provide substantial technical information but are not included to suggest a final design preference.

## Project Permitting

Proposals should include a description of the permitting process that the developer plans to use. The NCHT anticipates permitting will be through M.G.L. Chapter 40B.

## Developer Obligations

The selected developer is responsible for the following obligations:

- Prepare a development program and project plans that support the outlined goals of affordable housing for seniors along with social services.
- The developer must ensure that the project meets the requirements set forth by NCHT and the state's Department of Housing and Community Development's (DHCD) as well as any subsidy programs that might be needed from local, regional, state and federal sources to insure that all affordable units are eligible for inclusion in the Subsidized Housing Inventory (SHI).
- The developer must be prepared to provide any required financial obligations to permanent and or construction lenders as well environmental warranties and assurances as may be required to obtain financing. With the inclusion of state funding sources, it is expected that MassDocs will be used and that a regulatory agreement with the Town, subsidizing agency or agencies and developer that will include any project terms and conditions including development costs that guarantee the affordability of the units for as long a timeframe as possible. Failure to comply with the MassDoc terms could result in disqualification of the developer by the Town of Norwell.
- The developer must complete final plans and specifications and arrange for timely commencement and completion of the project. The plans and specifications, including a schedule of costs, are subject to the review and approval of NCHT.
- Zoning: The property is currently zoned R-1 Residential District, which will include, but are not necessarily limited to the need for the following waivers of the Zoning Bylaw –
  - A change in use to allow multi-family housing
  - Change of minimum lot dimensions, setbacks and open space requirements
- Respondent must demonstrate required equity for permanent loan and working capital to cover all pre-development costs from tentative designation to construction loan closing. These development costs and related tasks must be identified in a detailed sources and uses



budget (see Attachment 4 for this format). The applicant must also identify potential source(s) of private and public financing. The developer will also coordinate the application(s) for any possible public subsidy funds and work with the Town on the likely Local Initiative Program (LIP) application.

- In coordination with NCHT, the selected developer will be required to meet with neighboring property owners to discuss the project including the preliminary plans, costs and development schedule. The developer may also be required to be available for subsequent meetings as needed and may also be expected to attend NCHT meetings, on an as-needed basis, to report on progress.
- Develop plan and program that will help revitalize Village Center.
- Identify funding and marketing support for mixed income senior program with services.

**Note: All bidders are responsible for their own due diligence on all aspects of the Project**

## **Equal Opportunity**

Respondents, including subcontractors, will be subject to all state and federal Equal Opportunity laws and regulations.

# SUBMISSION AND SELECTION PROCESS

## Submission of the RFP

This Request for Proposals will be available starting at 1:00 P.M. on November 4, 2015 at Norwell Town Offices, Town Administrator's Office, 345 Main Street, Norwell, MA 02061.<sup>2</sup>

The preparation of the RFP response will be at the expense of the respondent. It is the sole responsibility of the respondent to fully examine this RFP's attachments and referenced documents. Questions shall be addressed in writing to the Peter Morin, Town Administrator, Town Offices, 345 Main Street, Norwell, MA 02061 or by email at [pmorin@townofnorwell.net](mailto:pmorin@townofnorwell.net) and received prior to January 5, 2015

If questions arise at any time before this date, all answers will be in writing and the questions and answers will be posted on the project webpage [http://www.townofnorwell.net/Public\\_Documents/NorwellMA\\_40River/index](http://www.townofnorwell.net/Public_Documents/NorwellMA_40River/index) by January 8, 2016.

**Three (3) bound copies of the proposal, site and building plans at a minimum of half size and one full electronic copy on a flash drive shall be returned in a sealed envelope clearly marked "Norwell Community Housing Trust, River Street Housing Proposal" addressed to:**

**Mr. Peter Morin, Town Administrator and Chief Procurement Officer  
Town Offices  
345 Main Street  
Norwell, MA 02061**

**All proposals must be submitted by 3:00 P.M. on January 15, 2016 for public opening at that time in the Town Administrator's office, location as listed above. The proposals become the property of the Town of Norwell and are subject to applicable Public Record Laws. Late applications will not be accepted.**

Upon review, if any items are missing and/or incomplete, the NCHT at its discretion may reject the application. Additionally, submission of proposals shall be deemed to incorporate the permission of NCHT to make any inquiries concerning the applicant as considered necessary to fully review qualifications.

Respondents to the RFP may be able to correct or modify their proposals, but must submit three (3) hard copies and an electronic version of any modifications or corrections in writing to the above contact person and address prior to the RFP deadline. Respondents may also withdraw their proposals at any time during the application and selection process.

It is the intention of NCHT to select a developer for the project who can:

- Demonstrate the experience and capacity necessary to carry out the development;
- Respond appropriately to the guidelines developed by the Town and included in this RFP; and
- Best meets the Competitive Selection Criteria delineated in the RFP.

The NCHT is not obligated to select the "lowest bidder" if another proposal better satisfies the Selection Criteria and other requirements of this RFP as a whole as the Trust is looking for the best

---

<sup>2</sup> **Directions to Norwell Town Offices:** Take the Route 53 North exit (Exit 13) off of Route 3 toward Route 123 Norwell/Hingham. Turn left onto Route 53/Washington Street. After approximately ½ mile, turn right onto Webster Street/Route 123. Continue to follow Route 123 about a 1½ miles and 345 Main Street (a former school) will be on the left.

balance of quality, cost and qualifications. Moreover, NCHT reserves the right to reject any and all proposals or to cancel the RFP if for any reason it is determined that it would be in the best interest of the Town or the NCHT. The NCHT will make the final selection of the designated developer.

The NCHT 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 to changes to, additional, and different interpretations of laws and regulations. Prospective developers should undertake their own review and analyses concerning physical conditions, environmental conditions, applicable zoning, required permits and approvals, reuse potentials, and other development, ownership and legal considerations.

## Pre-Submission Conference

A Pre-Submission Conference will be held at 10:00 A.M. on November 20, 2015, at the Norwell Town Offices, 345 Main Street in Norwell.<sup>3</sup> NCHT is not requiring all respondents to attend this Conference, however all potential respondents are strongly encouraged to participate. The meeting will include a presentation of the main components of the RFP and provide an opportunity for interested respondents to have their questions answered.

## Contents of Submissions

In addition to a letter of interest and narrative description of proposed development, the items included below are **required** components of the proposal to be submitted by all respondents to this RFP. See Attachments for the Submission Checklist to help insure that all components of the response to this RFP are included in the submission. All Attachments are available for download online at [http://www.townofnorwell.net/Public\\_Documents/NorwellMA\\_40River/index](http://www.townofnorwell.net/Public_Documents/NorwellMA_40River/index)

All responses to this Request for Proposals must include the following:

### A. Respondent Information:

Proposals should include the name, address, e-mail address, and telephone number of the proposer, the name of any representative authorized to act on his/her behalf, the name and contact information of the contact to which all correspondence should be addressed, and the names and primary responsibilities of each individual on the development team. Should complete **Respondent Questionnaire (Form Provided in Attachment 5)** All respondents must complete this form. If the respondent is a joint venture, a separate Respondent Questionnaire for each entity that comprises the joint venture must be provided.

### B. Development Concept

The proposal must include a detailed description of the development concept for the property and its improvements, including but not limited to:

Number and size of units (square footage and number of bedrooms) and affordability levels. Include narrative as to why/how the mix of bedroom sizes and affordability was determined to ensure project financial feasibility and appropriateness for the market.

- A design and program that will enhance the Village Center with new residents and users of the Village
- Septic analysis and plan, explaining location decisions and impacts on unit mix and site design.
- Preliminary site design. (See site plan developed by Merrill Associates as starting point).
- Discussion of the physical plan and architectural character of the project and the various programmatic and physical elements of the development, including energy savings/ green elements of the building and site designs.

- Construction staging plan and discussion of construction impacts, including but not limited to how the project will be managed to limit impact on neighbors in particular noise and traffic during the construction period.

### C. Conceptual Design Drawings

The proposal must include 3 sets of plans (and electronic version) that are half full size at a minimum and which include:

**Cover Sheet**, showing written tabulation of:

- Proposed buildings by type and size.
- Dwelling unit distribution by floor, size, bedroom/ bath number and handicap designation.
- Square footage breakdown between commercial, residential, community and other usage in the buildings.
- Number of parking spaces, parking ratio required and proposed.
- Dwelling units per acre under current zoning.
- Percentage breakdown of the tract to be occupied by buildings, by parking and other vehicular areas, and by open areas.

**1. Site plan**, showing:

- Lot lines, streets, existing buildings.
- Proposed building footprint, parking, site improvements and general dimensions.
- Adjacent building's footprints, heights.
- Zoning restrictions, i.e., setback requirements, easements, height restrictions etc.
- Wetlands, contours, ledge and other environmental constraints.

**2. Utilities Plan**, showing:

- Existing and proposed locations and types of sewage, water, drainage facilities, etc.

**3. Graphic Description of Development Concept**, showing:

- Typical building plan.
- Typical unit plan with square footage tabulation.
- Elevations with material indications—clapboards, hardi plank etc. (no vinyl siding)
- Typical wall section.

**4. Outline Specifications:**

Attach outline specifications for the proposed project prepared by the project architect and/ or engineer (where appropriate). The specifications should clearly indicate who completed them and on what date.

### D. Preliminary Development Budget (Form Provided in Attachment 4)

- Respondents must submit an estimated development budget with itemized construction costs, soft costs, and contingent costs that reflect possible public subsidies and other financing described under project guidelines. Please detail previous success in securing such funding. Describe in detail what, if any local, state or federal subsidy money will be sought to create affordability and the timeline for securing those sources.

#### E. Rent up and Management Plan

- Description of the target market, e.g., pricing and the strategy for marketing and lottery process
- The proposal must include a plan the ongoing management of the development. In addition, if the Proposer is including a property manager as part of its team, all relevant information as outlined under ‘Developer’ above should be included as well as details of any projects where the Proposer and Manager have worked together before.
- Lottery for Affordable Units: To ensure a fair and equitable selection process for the affordable units, a lottery shall be conducted for all of the affordable units. Proposals may include a lottery agent as part of the development team. A marketing/lottery plan shall be required as part of the approval of the units as Local Action Units, and prior to building permit issuance. For the proposal, the Proposer shall indicate any other lotteries they have been involved in, their role and the outcomes.

At a minimum the selected Proposer and/or their Agent shall demonstrate prior to endorsing a Development Agreement:

- a clear understanding of fair housing requirements/laws
- a clear understanding of local preference opportunities and requirements, and how the lottery will address these
- utilize appropriate state standards to determine program and unit eligibility – i.e. qualified tenants
- establish a criteria for tenant selection and a fair and unbiased selection process;
- be responsible for selecting properly qualified tenants;
- maintain all necessary reports and certifications required under state and federal law.

#### F. Social Service Program

Description of social services that will be provided as needed, how coordination and delivery of services will be assured. Applicants should make clear of any assistance that may be needed from NCHT.

#### G. Village impacts and improvements

Description of how the development might impact and improve the village center.

#### H. Project Development and Construction Schedule

Respondents are required to project a realistic development and construction schedule in their submission including dates for the following milestones:

- Detailed development schedule for all elements of the plan, including key milestones, financing benchmarks including DHCD funding if relied on, zoning, and projected completion / occupancy timeframes.
- Outline of required land use, environmental, operational and other governmental or regulatory approvals, including land use, zoning, development and environmental permits. The proposer should provide a schedule for securing approvals as part of the proposal. The proposer should note what zoning variances, special permits or modifications are required.

I. Letter of Interest from a Construction Lender

Respondents are required to submit a Letter of Interest from an established financial institution to provide construction financing.

J. Resumes or Brochures

If available, please provide a resume or brochure on the firm or projects with which the respondent has been involved.

K. For non-profit organizations only:

A description of the Board composition and a copy of the Articles of Organization, By-laws, and 501(c) (3) letter.

L. For for-profit organizations only:

Corporate Organization Document(s) identifying owner and/or general partner(s).

M. Residential Development Experience (Form Provided in Attachment 6)

Respondents must submit a completed Residential Development Experience form for each entity that comprises the respondent. If any principal listed in the Respondent Questionnaire for that entity has other experience that they wish considered, a separate form should be completed for that individual. List all projects that are completed, in construction, in predevelopment or otherwise committed for the last five (5) years.

N. Required Disclosures (Form Provided in Attachment 7)

O. Statement of Tax Compliance – M.G.L. c. 62C, 49A (Form Provided in Attachment 8)

P. Certificate of Non-Collusion (Form Provided in Attachment 9)

## Review & Selection of Proposals

All proposals submitted by the due date will be evaluated for conformance with the below stated minimum criteria. Those proposals that meet the minimum criteria will then be evaluated by the comparative criteria described below. The NCHT will select the proposal that best meets the comparative selection criteria.

The overriding goal of this project is to provide quality mixed-income senior housing with services for residents of Norwell and environs. Proposals from developers with strong technical and financial capacity to provide such housing and provide the best product will be most competitive. All proposals that are submitted by the deadline will be opened in public and logged in. The review of proposals will begin immediately after the submission deadline. The Norwell Community Housing Trust will coordinate the review and selection process leading to a designation of developer who will undertake the development of the River Street property.

Respondents will be interviewed to answer questions or to solicit additional information on their proposal and their ability to finance and complete the project. Further evaluation will include a review of references and may involve site visits to other projects completed by the respondent, examination of additional financial or design information requested and possibly additional interviews.

## Minimum Threshold Requirements

All proposals must meet the following minimum threshold requirements:

- The proposal must conform to submission requirements.
- Proposer must demonstrate successful development experience as a housing developer or contractor for the minimum of five (5) years including the successful completion of projects involving affordable housing with DHCD funding and other affordable funding;
- Respondent must demonstrate the qualifications of fully qualified development team consisting of a minimum with architect, civil engineer, landscape architect, contractor, management agent and others as needed to complete development of mixed income senior housing
- In addition to any loans supporting current projects, respondent has demonstrated borrowing capacity to carry private construction loans for this project greater than **\$4 million**;
- Taking into account current workload on other projects, respondent must have the ability to begin development of this project within 90 days of selection;
- Respondent must be up-to-date on all state and local taxes or have an acceptable explanation as to why tax payments are not current; and
- Satisfactory submission of required certifications (see Attachments 7 through 9)
  - Required Disclosures
  - Tax compliance
  - Disclosure of beneficial interests form as required by M.G.L. c. 7, section 40J

**FAILURE TO MEET THESE MINIMUM THRESHOLD REQUIREMENTS  
WILL RESULT IN THE REJECTION OF THE PROPOSAL.**

## Competitive Selection Criteria

Projects meeting the minimum criteria will then be judged on the following additional comparative evaluation criteria:

### 1. Developer Experience and Capacity (This is for the development team)

1. Development experience: Extent to which the developer's experience exceeds the minimum criteria; the developer's prior track record in the construction of housing of a similar scale and type, in particular the environmental and other issues found in a rural setting, and the experience of the development team with regard to affordable housing development.
2. Staffing Plan: the Proposer demonstrates the capacity to take on the work within 90 days of award
3. Project time line: Proposer's demonstrated ability to complete projects on time and within budget
4. Experience developing energy efficient housing

### Developer & Management Experience

5. Management approach: high quality management team
6. Marketing: experience in lottery and marketing for affordable housing, or commitment to add experienced member to team
7. Affordability: extent to which the project meets the affordability requirements and goals as described above.



8. Development Objectives and Concept: a proposal, addressing the objectives and concepts described above, with a mix of bedroom and income ranges, and reflecting full knowledge and understanding of project constraints, in particular water and septic systems.
9. Building, unit and Site design: As demonstrated in completed projects and plans for 40 River Street.
10. Green design elements: energy saving design with green/sustainable materials, methods and systems
11. Results of reference checks

#### Highly Advantageous:

Development team have significant and substantial successful development of affordable housing project of similar scope, including significant legal, design, financing, affordable housing management and development experience. Have extensive experience (4 or more projects) with private septic systems. Energy efficient design is their standard approach to design and development. Proposal strongly reflects commitments to completing development guidelines

#### Advantageous:

Development team members have had significant experience in the development of projects of similar scope, including significant legal, design, financing, affordable housing management, long term management and development experience. Significant experience (2 or more projects) private septic. Energy efficient buildings part of standard development approach. Proposal meets but does not exceed the expected commitments for accomplishing development guidelines

#### Unacceptable:

Development team members have had only minimal experience in the development of projects with similar scope, including legal, design, development, financing, and management experience with affordable rental housing.

## 2. Affordability

At a minimum, the affordability requirements for the property must align with M.G.L. Ch. 44B, the CPA law and the requirements of affordability necessary for inclusion on the Subsidized Housing Inventory. The NCHT has envisioned an even mix of 100% AMI units and 80% AMI and one and two bedroom units. The proposer should include a clear analysis as to the levels of affordability and the reasoning behind the proposed unit and income mix.

#### Highly Advantageous:

Proposal has an even mix of a mix of 100% AMI units and 80% AMI units as described in the program information for the development with no market units.

#### Advantageous:

Has a different ratio of 80% and 100% units other than the even split proposed or proposes a different mix accompanied with a strong justification supporting development program goals as described..

#### Unacceptable:

Affordability does not comply with requirements that all unit count on the Subsidized Housing Inventory.

### 3. Financial Experience and Capacity

Respondents will be evaluated on the extent of their financial strength to support the most favorable terms from a construction lender, their demonstrated capacity to absorb losses or cost overruns, the extent to which financial references verify financial capacity, and prior history of completing projects within budget and time constraints. The respondents must demonstrate that their current project workload, financial liquidity and existing financial obligations present no significant risks in successfully carrying out the project. Respondents will be responsible for securing construction financing and are required to submit a Letter of Interest from an established financial institution that indicates a willingness to finance the project

#### Highly Advantageous:

The developer has a “clean” credit history, including no bankruptcy within the past seven (7) years and no pending litigation. The developer has a demonstrated capacity to secure the necessary financial resources to complete the project. The developer has excellent financial references. The developer has been able to secure financing for projects that require greater amounts of financing than what will be necessary for the completion of the River Street development.

#### Advantageous:

Developer has an acceptable credit history, including no bankruptcy within the past seven (7) years and no pending litigation that would impact his/her ability to complete the project. References indicate that the developer has access to the financial resources to complete the project. The developer has been able to secure financing for projects that are at least similar in size and scope to the new units planned for the River Street property

#### Unacceptable:

The developer has a questionable credit history that might potentially jeopardize access to necessary financing and/or the developer has not undertaken a project of the same size and scope as the River Street development and does not yet have a proven track record for financing at a level that will be necessary to complete the project.

### 4. Feasibility of Development Plan

The ability of the development team to understand the complexities of affordable housing development and the challenges posed by the River Street property development is key to the success of the project. All development and construction costs must be reasonable and consistent with similar types of projects. Respondents will be assessed according to how the proposal strikes a balance between project quality and cost. Respondents must submit a preliminary development budget (see Attachment 4) that can be used to itemize construction costs, soft costs, and contingent costs and also identify possible public subsidies and other financing. At the heart of the competitive criteria is an evaluation of whether the project, as proposed, is financially feasible based on project requirements. Close evaluation will be made of Sources and Uses budgets that are based on current cost and market conditions; operating budget as appropriate for target population, reasonableness of management, administrative costs, maintenance and utility costs and construction costs.

Highly Advantageous:

Proposal contains realistic development and operating budgets and evidence of a high degree of success in securing necessary financing and other sources of funding.

Advantageous:

Proposal contains realistic development and operating budgets and evidence of potential in securing necessary financing.

Unacceptable:

Proposal does not demonstrate an understanding of development costs and operating budgets for affordable housing.

#### 5. Senior Service Program

A strong and innovative social services program utilizing local services and those provided by the developer are key to a successful development and getting the needed capital funding.

Highly Advantageous:

Proposal contains realistic and highly meaningful program of social service support for seniors relying on local service providers and a mix with services that the proponent may provide. NCHT will be looking for evidence of a high degree of experience of that the proponent can work with and secure the necessary local and other social services. Looking for demonstration of collaboration and connection to local services that is innovative and offers potential for replication elsewhere.

Advantageous:

Proposal contains realistic and meaningful program of social service support for seniors relying on local services and services identified which will be brought to the development by the proponent. Evidence of experience and success in securing necessary social services, but not as innovative and having the potential for replication elsewhere.

Unacceptable:

Proposal does not contain realistic and meaningful program of social service support for seniors relying on local services and services identified and which will be brought to the development by the proponent. Little or no experience and success in securing necessary social services.

#### 6. Site Design Standards

The NCHT will be looking for the following elements in developers' proposals.

- Thoughtful and efficient site design, minimizing impervious surfaces
- Complies with standards of low impact development
- Septic system design appropriate and permittable for project
- Underground utilities
- Creative landscape uses such as community garden, gazebo, patio with benches and grills—for example.

- Exterior lighting – minimal impact to neighbors
- Adequate buffers to neighboring properties
- Appropriate storm water management design and overall plan
- Attractive landscape plan including parking area
- Area designated for snow
- Adequate parking and visitor parking

Highly Advantageous:

Proposal evidences strong and creative design that meets all requirements and respects adjacent properties, provides heightened attention to landscaping plan, grading and lighting, helps with the restoration of the vegetation.

Advantageous:

The proposal meets most of the design requirements of the RFP with thoughtful traffic flow, buildings siting, low impact septic, minimal impact of exterior lighting, and development design.

Unacceptable:

Proposal fails to meet RFP requirements.

## 7. Quality of the Proposed Building Design and Product

Proposals will be evaluated according to how the proposed design is compatible with Program Guidelines included in this RFP and demonstrates the following:

- Exterior is of high quality while remaining compatible with local historical design, including the use of historic colors
- Superior design approach reflecting identified housing needs,
- Promotes community while maintaining individual tenant privacy
- Creative design that is cost effective and high quality
- Interior lay-outs meet a variety of family-types needs
- Finishes support durability and low-maintenance for tenant
- Management office on-site with storage
- Adequate tenant storage

Highly Advantageous:

Proposal articulates a superb development vision that is cost-effective, energy efficient, and has an attractive design and efficient use of interior space and community space.

Advantageous:

Proposal creates a development that reflects local historical design and efficient interior layouts, creating a desirable neighborhood.

Unacceptable:

Design appears incongruous with local historical design patterns, interior lay-outs not effective use of space and otherwise design is not proficient.

## 8. References, site visits & Interview

- References – a minimum of three references, include references from all projects undertaken in the last 10 years.
- Site visits - the selection committee may choose to visit proposers' completed projects.

### Highly Advantageous:

Strong references reflecting timely completion, excellent budget control, property management structure excellent and professionalism of developer. Properties visited were in great condition, site layout and landscaping excellent, great building design and use of energy efficient and durable materials. Residents were very pleased.

### Advantageous:

Strong references reflecting projects came in on time and within budget, good property management structure. Properties visited were in good condition, site layout was efficient, buildings were well designed and residents were mostly happy.

### Unacceptable:

Lackluster references reflecting projects that did not come in on time or within budget, or have good property management structure. Properties visited were in fair condition, site layout was inefficient, buildings were not well designed, or residents were largely not happy.

The NCHT is responsible for the final selection and will select the respondent that ranks highest on these competitive selection criteria.

# RFP CONDITIONS, TERMS, AND LIMITATIONS

This Request for Proposals is subject to the specific conditions, terms and limitations stated below:

- The selection of a developer will depend on satisfying the additional documentation and review requirements described in this RFP and will be subject to the selection criteria described in the RFP.
- No transaction will be consummated if any principal of any selected developer is in arrears or in default upon any debt, lease, contract or obligation to the Town of Norwell, including without limitation, real estate taxes and any other municipal liens or charges. The Norwell Community Housing Trust reserves the right not to review any proposal by any such applicant.
- The Norwell Community Housing Trust is not obligated to pay, nor shall in fact pay, any costs or losses incurred by any applicant at any time including the cost of responding to the RFP.
- This RFP does not represent any obligation or agreement whatsoever on the part of the Norwell Community Housing Trust.
- Selection of a respondent's proposal will not create any rights on the respondent's part, including, without limitation, rights of enforcement, equity, or reimbursement, until all related documents are fully executed and approved by the Norwell Community Housing Trust.
- The Norwell Community Housing Trust reserves the right to reject any and all proposals if it is in the public interest to do so and also reserves the right to waive any informalities of a non-substantive nature.
- All determinations as to the completeness or compliance of any proposals, or as to the eligibility or qualification of any respondent, will be within the sole discretion of the Norwell Community Housing Trust.
- This RFP are subject to all applicable laws, rules, and regulations promulgated by any federal, state, regional or municipal authority having jurisdiction over the subject matter thereof, as the same may be amended from time to time.

# Development Agreement Terms and Conditions

- The 40 River Street property is to be conveyed in “as is” condition. The Norwell Community Housing Trust makes no representation whatsoever as to the physical condition of the site. The developer will be required to indemnify and hold harmless the Norwell Community Housing Trust and Town of Norwell from any claims which arise related to the presence, release, disposal, or cleanup of any hazardous materials, which shall include, but not be limited to, any oil, petroleum product and any hazardous or toxic waste or substance.
- The proposed project shall conform to, and be subject to, the provisions of all other applicable laws, regulations, and ordinances of federal, state, regional and town authorities having jurisdiction as amended from time to time.
- Valid permits and approvals, as required by town, regional, state and federal agencies, shall be obtained by the developer/contractor prior to commencing work.
- The agreement will be subject to all applicable laws, rules and regulations promulgated by any federal, state, regional or municipal authority having jurisdiction over the subject matter thereof, as the same may be amended from time to time.
- 100% of the units shall be affordable and will be required to serve households or individuals earning not more than 100% AMI with housing totaling no more than 30% of said income.
- Restricted to senior households at least age 60 or older.
- All affordable units are required to be restricted as affordable housing by a deed rider or regulatory agreement in perpetuity or to the longest extent allowable by law.
- Affordable rents shall include all utilities except telephone, internet, and cable, and shall be no more than current Federal Fair Market rents and no more than the rent allowed by the DHCD LIP Program.
- The project proponent shall prepare and comply with an Affirmative Fair Housing Marketing Plan (AFHMP), which meets the standards set forth by DHCD. DHCD and the Norwell Community Housing Trust must approve the AFHMP before the marketing process commences. Project proponents shall use the Norwell Community Housing Trust as AFHMP unless the parties agree otherwise.
- At the signing of the development agreement for the selected developer a deposit of \$10,000 will be required to assure good faith commitment to the completion of the development plans, obtaining required permits and closing on the acquisition and construction loan for 40 River Street

## SELECTION PROCESS

The NCHT or its designee(s) (i.e. an evaluation committee) will review and evaluate all proposals that have been received by the submission deadline based on the criteria outlined herein. Evaluation of the proposals will be based on the information provided in the proposers' submission in accordance with the submission requirements of this RFP and any interviews, references, and additional information requested and/or gathered by the NCHT. The NCHT will select the developer it or its designees determines has deemed the most advantageous and responsive proposal.

The NCHT will notify all proposers in writing of its decision. The NCHT reserves the right to reject any or all proposals or to cancel this Request for Proposals if it is in the best interest of the NCHT.



## POST SELECTION

### Development Agreement

It is the intent of the NCHT to enter into a development agreement with the selected proposer within 30 days of selection and then to sell the land with appropriate zoning, affordable housing, and other permit restrictions. The major terms of this agreement are outlined in the Development Agreement Terms and Conditions as described above.

### Chapter 30B Real Property Dispositions to Promote Public Purpose Requirements

The name of the selected proposer and the amount of the transaction will be submitted for publication in the state's *Central Register*.

If the NCHT determines that the public purpose of the project is best met by disposing of the property for less than fair market value, the NCHT will post a notice in the state's *Central Register* explaining the reasons for this decision and disclosing the difference between the property value and the price to be received. This notice will be published before the NCHT enters into any agreement with the developer.

# **ATTACHMENTS**

The following attachments are available at;

[http://www.townofnorwell.net/Public\\_Documents/NorwellMA\\_40River/index](http://www.townofnorwell.net/Public_Documents/NorwellMA_40River/index)

- 1. Assessor's Map**
- 2. FEMA Flood Map**
- 3. Submission Checklist**
- 4. Preliminary Development Budget Template for Submission**
- 5. Respondent Questionnaire**
- 6. Residential Development Experience**
- 7. Required Disclosures- Conflict of Int.; Corp Bidder;  
Foreign Corp; Undoc. Workers**
- 8. Statement of Tax Compliance**
- 9. Certificate of Non-Collusion**
- 10. Merrill Conceptual Site Plan dated March 17, 2014**
- 11. Merrill Advanced Site Plan October 28, 2014**
- 12. Bonz and Company Rent and Demand Analysis dated  
August 25, 2015**
- 13. ASTM E 1527-13 Phase I Environmental Site Assessment  
October 2014 Summary**
- 14. Deed**
- 15. Town Meeting vote**
- 16. ANRAD approval**
- 17. Context Map**
- 18. Town Meeting Presentation Materials**