

DEVELOPMENT OPPORTUNITY

NEW BEDFORD ARMORY

REQUEST FOR PROPOSALS



989 Pleasant Street
New Bedford, Massachusetts

Issued: January 16, 2019
Submission Deadline: April 16, 2019

COMMBUYS ID: BD-19-1019-DCP01-ORE01-34591
UNSBC Code: 80131600

Carol Gladstone, Commissioner
Commonwealth of Massachusetts
Division of Capital Asset Management & Maintenance



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Source: Digital Commonwealth Collections

SECTION 1 | OVERVIEW

1-1 INVITATION TO BID

The Commonwealth, through its Division of Capital Asset Management & Maintenance (DCAMM) is issuing this Request for Proposals (RFP) for the sale and redevelopment of state-owned land, building, and any other improvements located on the northwest corner of Sycamore Street and Pleasant Street, New Bedford, Massachusetts (the Property). The Property, the former New Bedford Armory is shown on a survey plan of land referenced in “Property Overview” in Section 2-1. This RFP presents a unique and promising opportunity for private investment in the culturally vibrant and emergent city of New Bedford, the largest city in the South Coast region of Massachusetts.

The subject property, the former New Bedford Armory bounded by Sycamore Street to the south, Pleasant Street to the east, and Campbell Street to the north, is in the heart of the North Bedford National Register Historic District, a predominantly residential neighborhood just north of downtown New Bedford. The sale of the Property to a selected developer will be undertaken in accordance with and subject to Section 7, Chapter 67 of the Acts of 2011 (the Act). See Appendix A.

City Overview

With over 350 years of maritime history, New Bedford is a vibrant seaport, culturally rich in its assets with an ethnically diverse community of residents. New Bedford’s port has historically been its economic center with a century’s long prominence as a center of global commerce. Dating to the late 18th century, the establishment of the whaling fishery grew a small village into the greatest whaling port and the richest city per capita in the world. As whaling declined, the City transformed itself into America’s leading producer of cotton textiles, and today New Bedford’s commercial fishing port is the largest in the United States.

With a population of 100,000, New Bedford is the sixth largest city in Massachusetts and serves as the metropolitan center for the South Coast. The City boasts a strong economy, a low unemployment rate, a skilled workforce and a continuous expansion of diverse industries including marine sciences, life sciences, manufacturing, retail, technology, healthcare, service and emerging sectors such as medical device manufacturing and renewable energy. New Bedford is recognized as a national leader in sustainability and has positioned its port to become the launching pad of the American offshore wind industry.

Location and Transportation

Located 59 miles south of Boston and 32 miles east of Providence, New Bedford’s strategic position on Buzzard’s Bay also provides easy access to Cape Cod and the islands. Transportation infrastructure includes Interstate 195, Route 140, a regional airport, regional bus service and

year-round ferry service to Martha's Vineyard, Nantucket and Cuttyhunk Islands. Freight service is available by ocean, air and rail. Additionally, the South Coast Rail project, being implemented in phases, proposes to restore commuter rail service between Boston and southeastern Massachusetts by 2022. New Bedford will have two rail stops, one being the Whale's Tooth Station, which will include a pedestrian bridge located one block east of the Armory. For further details refer to the following link. <https://www.mass.gov/south-coast-rail>

Area Description

The property is located in the North Bedford National Register Historic District, a historic pedestrian-scale neighborhood, situated directly northwest of downtown New Bedford. The area is primarily residential, with a housing stock varying from 19th to early 20th century architectural styles. Additionally, the armory is located within a recently designated Opportunity Zone. For further details refer to the following link: <http://www.newbedford-ma.gov/planning/opportunity-zones/>

New Bedford's downtown revitalization has experienced considerable growth over the last decade with the establishment and/or expansion of new businesses and residential units. The Armory is within a ten minute walk of all the major assets of the downtown, including stores, restaurants, cafes, office buildings, a community health center, court houses, City Hall, Main Library, US Post Office, bus terminal, Bristol Community College, UMass Dartmouth College of Visual and Performing Arts, the National Park, the Zeiterion Theatre, as well as numerous museums and art galleries.

City Assets

New Bedford offers an exceptional quality of life with significant geographical, cultural and recreational assets. The National Trust for Historic Preservation named New Bedford one of the dozen Distinctive Destinations in the United States for good reason. New Bedford's seaport location, diverse neighborhoods, rich history, outstanding architecture, vast cultural resources and a growing arts community make it a compelling destination for visitors and an attractive place to live.

The beautiful New Bedford Harbor is at the mouth of the Acushnet River, which flows south into Buzzards Bay and the Atlantic Ocean. The city's waterways accommodate fishing, sailing, rowing, kayaking, and motor boating. Sandy beaches offer spectacular vistas to three historic lighthouses and the daily boat traffic in and out of Buzzards Bay.

Most city residents live within a 10-minute walk of a recreational asset, as the city boasts six major parks, twenty-four neighborhood parks, and over 12 miles of trails and bikeways, including the "Blue Lane", a unique contiguous set of recreational pathways atop the city's hurricane barrier connecting neighborhoods and attractions.

New Bedford is a coastal cultural center with a critical mass of artists, performers, galleries and cultural institutions and its downtown is anchored by the Seaport Cultural District. According to

Expedia viewfinder Travel Blog New Bedford is “One of America’s most artistic towns” and has been ranked the 7th Most Artistic City in America by Richard Florida, writing in the *Atlantic Magazine*.

The City is home to several museums and attractions, including but not limited to the following:

- New Bedford Whaling Museum
- New Bedford Whaling National Historical Park
- New Bedford Fishing Heritage Center
- The New Bedford Art Museum/ArtWorks!
- The New Bedford Symphony Orchestra
- The Zeiterion Performing Arts Center
- The Museum of Madeira Heritage
- The New Bedford Fire Museum
- The Rotch-Jones-Duff House and Garden Museum
- Buttonwood Park Zoo



1-2 REDEVELOPMENT GOALS

DCAMM has issued this RFP to solicit proposals that:

- Meet or exceed the requirements of this RFP.
- Provide the vision, experience and financial commitment to redevelop the Property within an expeditious timeframe.
- Propose future uses that complement the neighboring area.
- Demonstrate a viable re-development plan with minimal on-street parking demands.
- Respect neighborhood character, particularly with respect to the historical aspects of the property itself and minimize the impacts of development upon abutting properties.

1-3 DIVERSITY AND INCLUSION GOALS

DCAMM is strongly committed to ensuring that the sale and redevelopment of the Property provides opportunities for businesses and individuals that have been historically underrepresented in development projects of this size and scope. Accordingly, DCAMM is placing a high priority on proposals that maximize the level of minority-owned and women-owned business enterprise (“MBE/WBE”) participation in all aspects of the development and operation of the project.

Proposals will be evaluated to determine the extent to which they include meaningful participation in three activity areas: 1) development, financing and ownership; 2) design and construction; and 3) operation of the project. DCAMM’s objective is to select a project team that is committed to an exceptional program for achieving the diversity and inclusion goals and aspirations.

1-4 RESPONSE PROCESS

The process involves the submission of proposals responsive to this RFP; review by DCAMM of timely and properly submitted proposals; selection of a proposal at DCAMM's discretion; execution of a provisional designation agreement (PD) by the selected developer (Designated Developer) and DCAMM which will establish short-term conditions to be met by the developer within 90 days; and execution of a Land Disposition Agreement (LDA) which will culminate in sale of the Property. Please refer to Section 4 for the selection process.

Following the evaluation of complete and properly submitted proposals by DCAMM in accordance with this RFP, DCAMM will execute a PD with the Designated Developer. The Designated Developer will be expected to complete the milestones in the PD within 90 days, which may be extended by approval of DCAMM, in its sole discretion.

Following the 90-day due diligence period, the Designated Developer and DCAMM will enter a binding LDA, which will establish milestones precedent to the closing on the sale of Disposition Property. It is anticipated that closing will take place within 9 months of execution of the LDA, which may be extended by approval of DCAMM. Conditions and milestones under the LDA will include steps necessary for implementation of the development proposal: e.g. site planning/engineering, environmental approvals, applicable local, state and federal zoning and permitting approvals, MEPA compliance, infrastructure improvements, financing commitments, construction coordination and demonstration of constructability, and others required to demonstrate the likelihood of project success.

1-5 SCHEDULE

- RFP release: January 16, 2019
- Site visit/open house: February 5, 2019 from 10:30AM-11:30AM
- Final date to submit questions via COMMBUYS: March 26, 2019
- All responses to questions posted via COMMBUYS: April 2, 2019
- RFP responses due: April 16, 2019

Proposals must be received by DCAMM at the address specified in this RFP not later than April 16, 2019 by 3PM

1-6 SITE VISIT

A site visit will be held on February 5, 2019 from 10:30AM-11:30AM. Due to existing site conditions, tours of interior spaces will be restricted to ensure the safety of site tour participants.

1-7 RFP POSTING, AMENDMENTS AND QUESTIONS

This RFP will be posted online at: <http://www.commbuys.com>.

DCAMM, in its sole discretion, will endeavor to answer relevant and appropriate questions, and any responses will be posted on the COMMBUYS website. Interested parties must register with COMMBUYS. The COMMBUYS Helpdesk can be reached at (888)627-8283. The Commonwealth reserves the right not to respond to questions submitted after the final due date to submit questions.

Any RFP amendments, clarifications, changes or updates (including changes to any dates and deadlines), and any DCAMM responses to proposers' questions will be posted on the COMMBUYS website only. It is the sole responsibility of prospective proposers to check the COMMBUYS website for new information. Only the RFP and communications posted on COMMBUYS will be binding concerning this RFP. DCAMM will not provide any accommodations to proposers who fail to check the website or who misinterpret any information posted in connection with this RFP.



Source: DCAMM

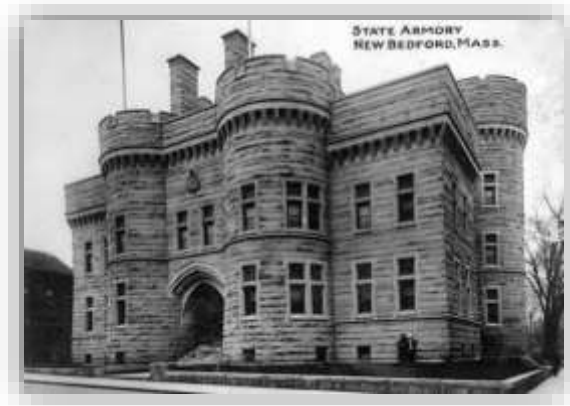
SECTION 2 | Property Description

2-1 PROPERTY OVERVIEW

The Property, formerly the New Bedford Armory, is located at the corner of Sycamore Street and Pleasant Street in the city of New Bedford. The Property consists of four adjoining structures which include a Head House, Drill Hall, Garage, and an Operations Maintenance Shop on approximately 1.29 acres of land. A survey plan entitled “Plan of Land, 989 Pleasant Street, New Bedford, Massachusetts, prepared for the Commonwealth of Massachusetts, Executive Office for Administration and Finance, Division of Capital Asset Management , dated July 21, 2009”, is included as Appendix B to this RFP.

2-2 PRESERVATION CONSIDERATIONS

Fundamental to the redevelopment of the former New Bedford Armory is historic preservation. Located in the North Bedford Historic District, the former New Bedford Armory is listed in the State and National Registers of Historic Places.



Therefore, it is highly preferred that any redevelopment and new construction would be compatible with the size, scale, massing, material and character of the historic property and neighborhood. Historical and Architectural significance of the Property can be found in the MHC

Building Form NBE.2297 and the National Register Nomination for the North Bedford Historic District attached as Appendix L and Appendix M.

Proposers should also consider the following principles in preparing redevelopment plans:

- Preservation of character-defining features of the armory is encouraged, if feasible;




- If it is determined that it is not feasible to preserve all of the character-defining features of the armory, the feasibility of preserving the character-defining features of portions of the armory should be examined, and is encouraged, where feasible;
- Rehabilitation of the armory and new construction on the property should be consistent with the recommended approaches in the Secretary of the Interior's Standards for Rehabilitation of Historic Properties.
<https://www.nps.gov/tps/standards/rehabilitation/rehab/stand.htm>

The Commonwealth encourages as much preservation as is physically, economically, and financially feasible.

Please note the City of New Bedford's Demolition Delay Ordinance as part of the permitting process for buildings and structures that may be historically significant. Refer to the following link (<http://www.newbedford-ma.gov/planning/historical-commission-demolition-ordinance/>)

Proposers are strongly encouraged to obtain information on the Federal Historic Rehabilitation Tax Credit and the Massachusetts Historic Rehabilitation Tax Credit from the National Park Service website at <https://www.nps.gov/tps/tax-incentives.htm> and MHC'S website at <http://www.sec.state.ma.us/mhc/>.

The following are examples of the adaptive reuse of former armory properties conveyed by the Commonwealth.

Former Natick Armory	Former Plymouth Armory	Former Somerville Armory
		
<ul style="list-style-type: none"> ▪ 93 East Central Street, Natick MA ▪ .78± acres, 33,978± square feet ▪ 23 Luxury townhouses and single-level one and two-bedroom condominiums with underground parking ▪ 1,500 to 2,200 square feet per unit 	<ul style="list-style-type: none"> ▪ 76 Court Street, Plymouth MA ▪ .41± acres, 17,860± square feet ▪ 20-unit residential condominium complex ▪ 900-1,885 square feet per unit 	<ul style="list-style-type: none"> ▪ 191 Highland Avenue, Somerville, MA ▪ .92± acres, 40,075 square feet ▪ Community arts and cultural center, tenants include a musical instruction, recording studio, nonprofit organizations, publisher, architectural & design firm, magazine, accounting firm, and function space.

Please note that DCAMM will post the date for an information session for prospective developers on COMMBUYS, the official procurement record system for the Commonwealth of Massachusetts' Executive Departments, during which MHC and NBHC will have an opportunity to present information and answer questions from prospective developers related to historic preservation of the Property.

2-3 BUILDING INFORMATION



The Property, situated on 1.29± acres of land, is a large, granite and brick-walled, late Gothic Revival-style building located several blocks north of downtown New Bedford. The Property, designed by Olin Cutter, was constructed in 1904 to serve as a training, meeting, administrative and equipment storage and maintenance facility for the Massachusetts Army National Guard. . It is asymmetrical in plan, with a square, three-story, flat-roofed administrative head house facing Sycamore Street, and a long 1½ story rectangular drill hall wing with slate-sheathed gable roof extending from the rear northwest corner of the administrative block. Flanking the length of the drill hall is a large one-story garage with a low parapet with a metal overhead door providing vehicular access. A smaller garage addition, functioning as an Operation Maintenance Shop, was constructed in 1935. This addition contains two high, metal overhead doors providing access to larger vehicles.

EXTERIOR PHOTOS

HEADHOUSE



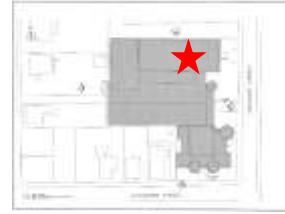
DRILL HALL



DRILL HALL (REAR)



GARAGE



OPERATIONS MAINTENANCE SHOP



SELECT INTERIOR PHOTOS OF HEAD HOUSE, DRILL HALL, AND GARAGE



(SELECT INTERIOR PHOTOS OF HEAD HOUSE, DRILL HALL, AND GARAGE CONT'D)



(SELECT INTERIOR PHOTOS OF HEAD HOUSE, DRILL HALL, AND GARAGE CONT'D)



(SELECT INTERIOR PHOTOS OF HEAD HOUSE, DRILL HALL, AND GARAGE CONT'D)



(SELECT INTERIOR PHOTOS OF HEAD HOUSE, DRILL HALL, AND GARAGE CONT'D)



(SELECT INTERIOR PHOTOS OF HEAD HOUSE, DRILL HALL, AND GARAGE CONT'D)



2-4 UTILITIES AND INFRASTRUCTURE

The Property has access to electrical, gas, water, and sewer infrastructure. The Designated Developer will be responsible for conducting investigation to confirm the location of these and/or any additional utilities on the Property.

2-5 BUILDING CONDITION INFORMATION

The Property is offered for sale and will be conveyed as-is, where-is and with all defects. In 1999, ATC Associates Inc. (ATC) of Woburn, Massachusetts, was retained by the Commonwealth of Massachusetts Military Division to perform an investigative asbestos-containing building materials survey of the New Bedford Armory. The asbestos survey involved locating, quantifying, and assessing the condition of all accessible asbestos-containing materials, using bulk sampling and visual inspection techniques, to develop a report which identified the extent of the asbestos-containing materials present within the building. See Appendix N. Additionally, in early 2018, Epsilon Associates, Inc. on behalf of DCAMM, prepared a letter report to the Massachusetts Historical Commission that described building conditions and summarized reuse studies undertaken by MassDevelopment in 2008 and 2013. See Appendix J.

Proposers must independently confirm environmental site conditions. DCAMM makes no representations or warranties whatsoever regarding environmental conditions. The Designated Developer will have the opportunity to undertake an environmental assessment following execution of the PD.

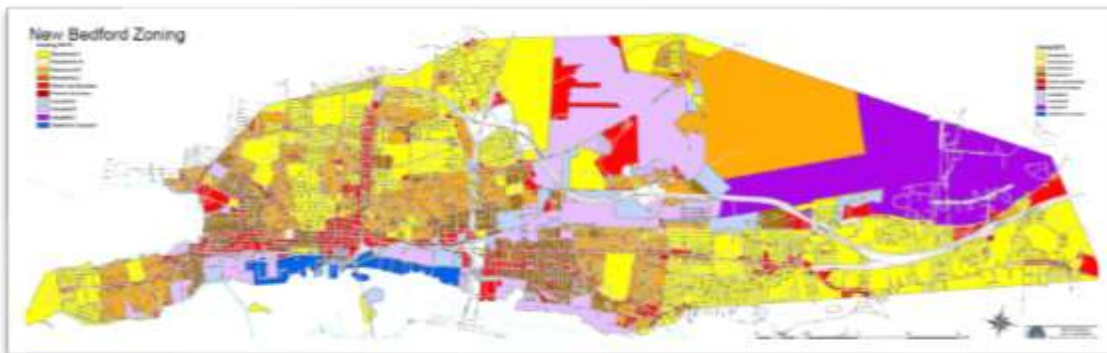
The Designated Developer (and guarantor, if applicable) shall indemnify and hold the Commonwealth and DCAMM harmless from and against all loss, cost and damages due to the environmental condition of the Disposition Property.

2-6 ZONING

The Property is in Residential A District. For informational purposes, the following is taken from the New Bedford, Massachusetts - Code of Ordinances, Chapter 9 Comprehensive Zoning as adopted April 18, 2018 Supplement 11.

Zoning Dimensional Regulations: Residential A District	
Minimum Lot Size (sq. ft.)	8,000
Density of Dwelling Units per Lot	1 per 10,000 sq. ft.
Lot Frontage (ft.)	75
Height of Buildings (ft.)	45; 60 for religious, educational, or institutional buildings
Height of Buildings (# stories)	2.5; 3 for religious, educational, or institutional buildings

Front Yard (ft.)	20*
Side Yard (ft.)	10 on one side; 12 on the other
Rear Yard (ft.)	30
Lot Coverage by Buildings (%)	30; 40 on corner lots
Green Space	35%



The Designated Developer will be responsible for confirming and complying with applicable zoning requirements. Comprehensive zoning for the City of New Bedford in its entirety is available online

at: https://library.municode.com/ma/new_bedford/codes/code_of_ordinances?nodeId=COOR_CH9COZO



Source: DCAMM

SECTION 3 | SUBMISSION REQUIREMENTS

3-1 PROPOSAL CONTENTS

All proposals must include the following materials and information:

- A. Deposit Check
- B. Letter of Transmittal
- C. Proposal Cover Sheet
- D. Developer Information
- E. Development Plan
- F. Financial Information (Including a pro-forma)

3-2 DEPOSIT CHECK

All proposals must be accompanied by a deposit of \$500.00 in the form of a certified cashier's, treasurer's or bank check made payable to the Commonwealth of Massachusetts. Bid deposits will be held by DCAMM in a non-interest-bearing escrow account. Proposal deposits will be returned to non-selected proposers after the PD with the Designated Developer. An additional deposit equal to 10% of the purchase price will be required at the time of execution of the Land Disposition Agreement.

3-3 LETTER OF TRANSMITTAL

The proposal must include a one-page letter of transmittal signed by the principal(s) of the proposer.

3-4 PROPOSAL COVER SHEET

The proposal must include a completed Proposal Cover Sheet in the form provided as Appendix D.

3-5 DEVELOPER INFORMATION

The proposal must include a description of the development team, the individuals and organizations to be involved in the purchase and their experience, as well as references. This description must include the following information:

- A. The name, address and telephone number of the proposer, the name(s) of the representative(s) authorized to act on the proposer's behalf, and the name of the senior person designated as the contact to which all correspondence should be addressed.
- B. Proposers should identify MBE/WBE and individual minority or women team members early in the process and indicate in their proposals the nature of that participation in the particular phase of the redevelopment project (e.g. names of team members, specific roles, percent of total participation, as appropriate). DCAMM reserves the right to contact such MBE/WBE team members and individuals to clarify their proposed roles in the project. Where partners have not yet been identified, proposals should indicate what steps will be taken or are being taken to identify MBE/WBE participation.
- C. If the proposer is not an individual doing business under the proposer's name, the proposal must describe the status of the entity (whether a non-profit or charitable institution, a general, limited, or limited liability partnership, a for-profit corporation, limited liability company, unincorporated association, or joint venture) and indicate the jurisdiction in which it is registered to do business. Please include the exact name and legal status of the entity to be named as developer in the LDA if different from the proposer.
- D. The primary responsibilities of everyone on the development team, and a summary of the development team's experience, collectively and individually, with similar projects. Demonstrate proven track record in all phases of project development including: permitting, financing, design and renovation/construction. Provide up to three (3) professional references.
- E. Identification of any project partners who are participating in the proposal and a description of the nature and degree of their involvement and commitment to the project described in the proposal.
- F. Description of the organizational structure of the development team and a plan for the maintenance of effective communications between DCAMM and the development team during all phases of the project.
- G. Confirmation that no local, state or federal taxes are due and outstanding for the proposer, the development team or any constituent thereof.
- H. Information regarding any legal or administrative actions past, pending or threatened that could relate to the conduct of the proposer's (or its principal's or its affiliate's) business

and/or its compliance with laws and other governmental requirements or its ability to execute the LDA and other legal documents and to close.

3-6 DEVELOPMENT PLAN

The proposal must include:

- A. Conceptual plan for the design of the Property and a site plan, schematic elevations, and typical floor plans. Include any other useful plans depicting the proposed development and how it meets the criteria contained in this RFP.
- B. A detailed narrative description of the proposed redevelopment concept and the specific nature of the proposed use(s). All proposals must include a narrative with details of the site design; building massing; proposed gross square footage and the area allocated to each of the proposed uses, parking and landscaping; and the relationship of the project to the surrounding buildings and neighborhood. The detailed narrative description should identify historic preservation goals and for the building. This information should include information on the treatment of character-defining features of the building.
- C. A list of all required local, state, and federal zoning land use and environmental permits and approval requirements, as well as all applicable licensing/operating permit requirements, and a projected schedule for securing them.
- D. Schedule that includes proposed timetables for design, permitting, financing, marketing and construction.
- E. Demonstration of financial feasibility of the proposal, including anticipated source and use of funds as well as an operating pro forma.
- F. A plan for the ongoing management of the redeveloped property, where applicable, including proposed operators and their experience.

3-7 FINANCIAL INFORMATION

It is *required* that the proposed purchase price and all other financial information be included in separate and appropriately labelled file, apart from all other sections of the proposal.

The financial information must include the following:

- A. Purchase Price. The proposal must state a total purchase price.

- B. Beneficial Interest Disclosure Statement. The proposal must include a signed Disclosure Statement of Beneficial Interest (Appendix E)
- C. Expenses. The proposal must include an acknowledgement that, in addition to the purchase price, the Designated Developer will pay for all costs incurred by DCAMM in connection with the sale of the Property. These include, but are not limited to, real estate consultants, appraisals, survey, architectural, engineering and legal expenses.
- D. Financial Statements. The proposal must include a financial certification to be signed by the principal or senior officer of the proposer confirming, among other matters, that its investment team has the financial strength to close the sale with the Commonwealth in accordance with the terms and conditions of the LDA and to develop the Property to completion in accordance with the proposer's development plan. After the submission of proposals, proposers may be asked to submit additional financial information for review in form and substance acceptable to DCAMM in its sole discretion.

3-8 SUBMISSION DEADLINE

To comply with this RFP, five (5) original hard copies of the proposal containing all the material and information required by this RFP, along with an electronic version (i.e. USB flash drive or CD) of the complete proposal **must be received by April 16, 2019, NO LATER THAN 3PM** ("Submission Deadline") by DCAMM at the following address:

Division of Capital Asset Management and Maintenance
Office of Real Estate Management
One Ashburton Place, 15th Floor
Boston MA 02108
Attn: Thatiana Gibson, Senior Project Manager

Envelopes must be marked: **"Proposal for Former New Bedford Armory Site. Do not open until April 16, 2019 at 3PM"**

3-9 SUBMISSION PROCEDURES

Proposals will be time-stamped as they are received, and DCAMM's time stamp shall be controlling. Please submit five (5) hard copies of the proposal along with an electronic version on USB flash drive USB flash drive or CD. Proposals received by DCAMM after the Submission Deadline will be deemed non-responsive and will be rejected. Faxed or emailed proposals will be deemed non-responsive and rejected regardless of the date received. Proposers are cautioned to hand deliver their proposals and allow sufficient time to clear security in the

McCormack Building at One Ashburton Place, Boston. Any proposal delivered late in person, will be refused; if delivered late by mail, it will be returned to its respective sender. Timely proposals will be opened after 3PM on the Submission Deadline date in the offices of DCAMM, at which time only the names and addresses of proposers will be made public.

DCAMM will not accept any information or materials submitted after the Submission Deadline unless such information or materials are provided in response to DCAMM's written request for such information or materials. Proposals shall be unconditional. Prior to the Submission Deadline, proposers may correct, modify or withdraw a proposal by written notice to attention of Thatiana J. Gibson, Senior Project Manager at DCAMM.

After the opening of proposals, a proposer may not correct or modify its proposal in any manner unless in response to a written request by DCAMM in its sole discretion. These submission requirements will be strictly enforced. The proposal must be in a sealed envelope addressed and marked as follows:

Your Name

☐

Your Return Address

SEALED PROPOSAL – New Bedford Armory Re-Development Proposal
Division of Capital Asset Management and Maintenance
Office of Real Estate Management
One Ashburton Place, 15th Floor
Boston, Massachusetts, 02108
Attn: Thatiana J. Gibson, Senior Project Manager
DO NOT OPEN UNTIL AFTER: April 16, 2019 at 3PM

If the proposal is sent via Express Mail, Federal Express or similar courier, the proposal must be in a sealed inner envelope addressed and marked as shown above.



~Portuguese Rooster Mural located at Antonio's Restaurant on Coggeshall Street in New Bedford by artist TomBob

SECTION 4 | SELECTION PROCESS

4-1 SELECTION PROCESS OVERVIEW

DCAMM will review and evaluate all proposals that have been received by the Submission Deadline. Evaluation of the proposals will be based on:

- The information provided in the proposal in accordance with the submission requirements.
- Any interviews, references and additional information requested by DCAMM.
- Any other information from publicly available and verifiable sources.

During the selection process, DCAMM reserves the following rights: to negotiate with one or more proposers; to waive portions of the RFP; to waive any informalities in proposals; to request “best and final” offers; to reject any or all proposals; and to issue a new request for proposals, for any reason deemed appropriate by DCAMM.

The Commonwealth is not obligated to select the proposal that offers the highest price. The successful proposal will be the one that is most advantageous to the Commonwealth and best meets the selection criteria.

Upon selection, the designated developer(s) will be required to submit the following to DCAMM:

- A. The additional deposit equal to 10% of the purchase price.
- B. A signed Disclosure Statement of Beneficial Interest (Appendix E).
- C. A signed MEPA Form (Appendix F).
- D. Any other documents as required by DCAMM.

4-2 SELECTION CRITERIA

Proposals received by the Submission Deadline will be evaluated in accordance with the following selection criteria listed in no particular order:

- The proposal’s conformity and compatibility with the provisions of the Legislation.
- Financial feasibility of the proposal.

- The committed percentage levels of MBE/WBE participation and participation by minority and women individuals put forth by the proposing team for each of the three activity areas: development, financing and ownership; design and construction; and operation of the project.
- Relevant experience of proposer's team to facilitate expedient development of the Property.
- Impacts upon, and benefits to, the surrounding community.
- Proposer's experience in historic preservation or inclusion of a team member with such experience.
- A redevelopment plan which includes historic preservation as a rehabilitation treatment for the historic building and its character defining features is encouraged and considered advantageous.
- Overall benefits to the Commonwealth, including financial benefits.
- Ability of the proposer to perform successfully as proposed and in a timely fashion. Such a determination is a function of the proposer's qualifications and ability to successfully carry out the project in an expedient manner, as evidenced by his/her professional record, overall financial qualifications, etc., as well as the extent to which the proposal is feasible.

4-3 PROVISIONAL DESIGNATION AND LAND DISPOSITION AGREEMENT

Upon selection of a proposal or proposals deemed by DCAMM to best satisfy the RFP selection criteria, DCAMM may provisionally designate a developer or developers in writing. DCAMM will notify, in writing, all proposers that have not been selected. The PD will establish the terms for the Designated Developer's related due diligence within a 90-day period. The Designated Developer must enter into a separate license agreement substantially in the form of DCAMM's standard license for site assessment purposes provided in Appendix I. If, within the 90-day period, an inspection and/or title search discloses legal or physical conditions of the Disposition Property that the Designated Developer finds objectionable in its reasonable discretion and as provided in the PD, then the Designated Developer may withdraw its proposal by delivering written notice of such withdrawal to DCAMM prior to the expiration of the applicable due diligence period. If the Designated Developer does not withdraw its proposal within such period, then the Designated Developer shall be deemed to have approved the legal and physical condition of the Property.

Following the completion of the 90-day due diligence period, the Designated Developer and DCAMM will enter a binding LDA, which will establish milestones precedent to the closing on sale of the Disposition Property. It is anticipated that closing will take place within 9 months of the execution of the LDA, which may be extended by approval of DCAMM. Conditions and milestones under the LDA will include steps necessary for implementation of the development proposal: e.g. site planning/engineering, environmental approvals, applicable local, state and federal zoning and permitting approvals, MEPA compliance, infrastructure improvements, financing commitments, construction coordination and demonstration of constructability, and others required to demonstrate the likelihood of project success.

4-4 DUE DILIGENCE

Proposers are responsible for their own due diligence, including undertaking their own review and analysis concerning physical and structural conditions, environmental conditions, title, access, easements, utilities, applicable zoning, required permits and approvals, reuse potentials, and any other development, ownership and legal considerations. DCAMM makes no representations or warranties whatsoever concerning the adequacy, applicability or substance of a proposer's due diligence investigations or to the suitability or feasibility of the Disposition Property for the purposes contemplated by a proposal or this RFP.



Source: DCAMM

SECTION 5 | GENERAL PROVISIONS

- A. Time is of the essence with respect to the Submission Deadline and all other dates, times, and other deadlines set forth in this RFP.
- B. DCAMM will not consider any proposal which is comprised in whole or in part, through ownership or control of individuals or entities which have directly or indirectly had any involvement in the subject of the RFP (involvement means, without limitation, involvement relating to legal, planning, environmental, appraisals or other consulting services).
- C. DCAMM makes no representations or warranties whatsoever, as to the accuracy and/or completeness of any of the information contained in, or provided as part of, this RFP, including, without limitation, information in the RFP, in appendices, exhibits, attachments, technical information, and/or supplements, in hard copy, facsimile, electronic or on line, or available upon request or from other sources. The information is provided for convenience only, and cannot be relied upon, without outside, independent investigation and verification by the proposer. This information is subject to differing interpretation, analysis and conclusions and to errors, omissions, and changes in costs, conditions, economics, engineering, laws, rules and regulations that may occur on or after the date the information was created or assembled.
- D. This RFP is made subject to errors, omissions, prior authorized sale, lease or other disposition and any subsequent modifications, additions or changes in RFP or sale terms and conditions.
- E. DCAMM reserves the right in its sole discretion, to reject any proposal not submitted in conformance with the requirements of the RFP and any amendments hereto; to reject all proposals, for any reason whatsoever; and/or to waive, or to decline to waive, irregularities in any proposal if and when DCAMM determines that it is in the Commonwealth's interest to do so.
- F. DCAMM reserves the right in its sole discretion, to amend, suspend or withdraw this RFP by posting notice on the COMMBUYS at any time for any reason whatsoever; to discontinue its selection process; to solicit other proposals; to issue a new RFP or conduct any authorized alternative procurement method for any reason whatsoever at any time. DCAMM makes no guarantee that any conveyance or agreement will result from this RFP.
- G. DCAMM reserves the right in its sole discretion, to seek best and final offers; to seek additional information or clarification of a proposal from proposers at any time; and to negotiate simultaneously with more than one proposer and to cease negotiation for any reason whatsoever at any time. The negotiation period and final form of agreement shall be determined by DCAMM, in its sole discretion.

- H. All proposals and information submitted in response to this RFP are subject to the Massachusetts Public Records Law, M.G.L. Chapter 66, Section 10, and Chapter 4, Section 7, paragraph 26. Any statements reserving any confidentiality or privacy rights in submitted proposals or otherwise inconsistent with these statutes are void and shall be disregarded.
- I. If there is a conflict between the terms of this RFP (including addenda) and the General Provisions contained in this RFP, the terms of these General Provisions shall control. If there is a conflict between this RFP and any interpretation, clarification, or other response given to prospective or actual proposers, the terms of this RFP (as modified by written addenda, if any, issued in accordance with this RFP that state they are intended to replace or supersede any portion of this RFP) shall control.

APPENDICES

APPENDIX A: AUTHORIZING LEGISLATION: SECTION 7 OF CHAPTER 67 OF THE ACTS OF 2011

**APPENDIX B: “PLAN OF LAND, 989 PLEASANT STREET, NEW BEDFORD MA,
PREPARED FOR THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE FOR
ADMINISTRATION AND FINANCE, DIVISION OF CAPITAL ASSET MANAGEMENT”, DATED
JULY 21, 2009**

APPENDIX C: LAND DISPOSITION AGREEMENT

APPENDIX D: PROPOSAL COVER SHEET

APPENDIX E: BENEFICIAL INTEREST – DISCLOSURE STATEMENT

APPENDIX F: MEPA AGREEMENT FORM

**APPENDIX G: MASSACHUSETTS HISTORICAL COMMISSION LETTER DATE MAY 15,
2018**

APPENDIX H: MEMORANDUM OF AGREEMENT DATED JULY 3, 2018

APPENDIX I: NON-EXCLUSIVE LICENSE /ACCESS AGREEMENT BOILERPLATE

**APPENDIX J: EPSILON ASSOCIATES INC REPORT SUBMITTED TO THE
MASSACHUSETTS HISTORICAL COMMISSION, PREPARED FOR THE DIVISION OF
CAPITAL ASSET MANAGEMENT AND MAINTENANCE DATED JANUARY 22, 2018**

APPENDIX K: “A CITY MASTER PLAN – NEW BEDFORD”, 2020

**APPENDIX L: MASSACHUSETTS HISTORICAL COMMISSION (MHC) FORM B
NBE.2297**

**APPENDIX M: NATIONAL REGISTER NOMINATION FOR THE NORTH BEDFORD
HISTORIC DISTRICT**

**APPENDIX N: ASBESTOS-CONTAINING BUILDING MATERIALS SURVEY – NEW
BEDFORD ARMORY PREPARED BY ATC ASSOCIATES INC., DATED JUNE 3, 1999**