
TOWN OF EASTON
REQUEST FOR PROPOSALS

Map 6U, Lot 8, 108 Canton Street,
Easton, MA

1. INVITATION FOR PROPOSALS

Summary

The Easton Conservation Commission is offering for lease property located at 108 Canton Street in Easton, Massachusetts. The disposition of the property is subject to the Uniform Procurement Act, M.G.L. c.30B. The provisions of M.G.L. c. 30B, Section 16, are incorporated here by reference. The selected buyer will be required to submit a disclosure of beneficial interest in order to comply with M.G.L. c.7, Section 40J.

The property to be leased is a single-family dwelling and five outbuildings, referred to as Tufts Farm, located on 3.0 acres of land at 108 Canton Street in Easton, Massachusetts. Agricultural use of the property is preferred and two adjoining parcels, also owned by the Commission, may be made available for such purposes.

Proposal Deadline: Interested parties must submit four (4) copies of proposals on or before **10:30 A.M. EST, Friday, April 23, 2010** at which time all proposals received will be opened and recorded in public. No faxed or electronic submissions will be accepted. If the Town Hall is closed at the time of the delivery deadline due to uncontrolled events such as fire, snow, or building evacuation, the proposal opening will be postponed until 12:00 p.m. on the next day Town Offices are open for business. Proposals must be submitted in a sealed envelope and addressed to the Chief Procurement Officer, David Colton:

David Colton, Town Administrator
Town Offices
136 Elm Street
North Easton, MA 02356

Late proposals will be rejected and returned, unopened, to the sender. Proposals should be marked "**Tufts Farm Property.**" Responses to this RFP must include all required documents, completed and signed per the instructions together with the attached forms included in this bid package.

All communications regarding this RFP must be made in writing to Stephanie Danielson, Land Use Agent, 136 Elm Street, North Easton, MA 02356. Emailed questions may be addressed to sdanielson@easton.ma.us. Answers to relevant questions will be posted on the Town's website on the Department of Planning & Community Development's homepage no later than Friday, April 16, 2010. **Only questions received by 3:30 p.m. on Wednesday, April 14, 2010 will be considered.**

Pre-Submission Meeting: There will be a pre-submission briefing and open-house on **Tuesday, March 30, 2010 at 10:00 a.m.** at 108 Canton Street, Easton, MA. In the event the briefing cannot be held due to unforeseen circumstances, such as weather, the briefing will be postponed until 10:00 a.m. on the next business day. The pre-submission meeting is recommended, but not required.

General Conditions. The Conservation Commission reserves the right to reject any proposal that fails to meet the requirements of this RFP or which is incomplete, conditional or obscure, or which contains additions or irregularities, or in which errors occur. The Conservation Commission reserves the right to waive minor discrepancies, to permit a Proposer to clarify such discrepancies, and to conduct discussions with all qualified Proposers in any manner necessary to serve the best interests of the Town. The Conservation Commission also reserves the right to designate a lessee based on written proposals received, without prior discussions, and to reject any and all proposals if deemed in the public interest to do so. Any fees or other expenses associated with the RFP process are the sole responsibility of the Proposers.

2. DESCRIPTION OF PROPERTY

Location and Site Information: This RFP offers for lease a single-family dwelling and five outbuildings, situated on conservation land located at 108 Canton Street, Easton, MA. The site, referred to as Tufts Farm, is located on 3.0 acres of land at 108 Canton Street in Easton, Massachusetts and identified on the Easton Assessor’s Maps as Map 6U, Lot 8.

The structures include:

Description	area
Single-family, cape-style dwelling Kitchen, living room, den, bathroom downstairs 2 bedrooms and lavatory upstairs Unfinished, full basement	1,474
Work shop - wooden structure with workbench and cabinet	306 s.f.
Barn - wooden structure with poured concrete floor	868 s.f.
Equipment shed - three-bay lean-to, poured concrete floor	1,176 s.f.
Kennel/outbuilding - wooden building with stalls, wood floors	928 s.f.
Milk shed - wooden building just off rear entrance of the dwelling	40 s.f.

Zoning: The property is zoned Residential.

Utilities: The site is serviced by electricity, public water and on-site subsurface sewage disposal system.

Heat and Hot Water: the house is heated by a newly installed oil-fired burner with tankless hot water.

Proposer's Responsibility for Due Diligence: Prospective buyers are encouraged to undertake a review and analyses concerning the physical conditions of the outbuildings, environmental conditions and any other conditions that may concern the lessee. For example, records indicate the house was constructed around the 1900's and it is very likely lead paint exists in the house. Therefore, proposals should not include habitation of the dwelling by children age six or younger.

3. PROPOSAL SUBMISSION

Instructions for Submitting Proposals

Three (3) copies of the proposal, plus one unbound copy suitable for reproduction, must be received no later than **10:30 A.M. EST, Friday, April 23, 2010** at the Office of the Town Administrator, 136 Elm Street, Easton, MA 02356. The proposals must be submitted in a sealed package or envelope. The exterior package containing the copies of the proposals must be labeled: 108 Canton Street Proposal. Proposals will be publicly opened at that time, with the name of each proposer and the purchase price recorded. Proposals become public information when they are opened.

The Conservation Commission reserves the right to accept or reject any and all proposals, whichever is deemed to be in the best interests of the Town of Easton. A proposer may correct, modify or withdraw a proposal by written notice received in the Office of the Town Administrator prior to the time and date set as the deadline for submission of proposals. No proposal received after the time set as the deadline for submission of proposals shall be considered and will be returned unopened to the sender.

All communications regarding this RFP must be made in writing to Stephanie Danielson, Land Use Agent, 136 Elm Street, North Easton, MA 02356. Emailed questions may be addressed to sedanielson@easton.ma.us. Answers to relevant questions will be posted on the Town's website on the Department of Planning & Community Development's homepage no later than Friday, April 16, 2010. **Only questions received by 3:30 p.m. on Wednesday, April 14, 2010 will be considered.**

Proposal Submission Requirements

The Proposal must include the following information and attachments, clearly identified and indexed. Proposers are advised to describe how each submission addresses the Minimum Evaluation Criteria.

- (a) *Lease rate.* This amount may be proposed as an annual amount or as monthly payments.

- (b) *Proposer Resources.* Evidence that the Proposer has adequate financial resources to make the lease rate.
- (c) *Disclosure of Beneficial Interest form.* Included with the proposal must be two (2) completed and signed copies of the Disclosure of Beneficial Interest form enclosed herewith as Attachment A.
- (d) *Certification of tax compliance (G.L. c. 62C, 49A) (form)*
- (e) *Statement of Non-Collusion*
- (f) *Property Stewardship - G.L. c.60, §77B*
- (g) *Proposed agriculture use (if offered)*

4. PROPOSAL EVALUATION PROCEDURE

Proposal Selection

- (a) *Review of Proposals*
The Conservation Commission will review and analyze all Proposals based on the evaluation criteria described in this Request for Proposals. During this process the Commission may terminate further consideration of any Proposal at its own discretion; it may also request that a Proposer submit additional information.
- (b) *Interviews/Presentations of Proposals*
The Commission anticipates that it will invite selected proposers to an in-person interview prior to making a final selection.
- (c) *Proposal Selection*
Upon completion of all interviews, the Commission will select a lessor. The Commission reserves the right to request further information from a Proposer prior to final selection. The Commission reserves the right to waive any formalities.
- (d) *Provisional Tenant Designation*
The Commission anticipates that within 3-4 weeks of the conclusion of the interview phase it will provisionally designate a Tenant for the property. All Proposers will be notified in writing of this Tenant designation. Following designation, the Tenant and the Commission will sign a Provisional Lessee Designation Agreement which will describe the terms and schedule of lease of the property.

Minimum Evaluation Criteria

The Minimum Evaluation Criteria are as follows:

- (a) Inclusion of all Proposal Submission Requirements as listed above.
- (b) Proposal is for the parcel as described above.
- (c) Responsible bid price.
- (d) Proposer has clearly demonstrated financial resources to complete the transaction in a timely manner.

Comparative Evaluation Criteria

All proposals meeting the Minimum Evaluation Criteria will be further reviewed in accordance with the following Comparative Evaluation Criteria:

Lease rate. The proposer meeting the Minimum Evaluation Criteria and submitting the highest lease rate will be determined to be the most favorable proposal.

5. CONVEYANCE TERMS.

(a) General Requirements

The Tufts Farm property adjoins other conservation land under the care and management of the Conservation Commission. Walking paths, with entry points off Picketeer Lane and Lincoln Street in Easton, connect to Tufts Farm. Tenancy of the property shall be respectful of the conservation nature of the adjoining parcels.

(b) General Lease Terms

- (1) All parties to the lease and any responsible parties for notice under the lease, must be named on the lease
- (2) The proposal awarded tenancy shall be incorporated into the lease by reference
- (3) The duration of the lease shall be 5-years, with an option to renew annually thereafter, up to an additional 5-years beyond the initial duration of the lease. Upon each renewal, the rent or fee paid under the lease shall be re-negotiated and may be increased at a rate no greater than 10% of the current rent or fee.
- (4) The Commission intends that, under the lease, the tenant shall have sole responsibility for occupying and maintaining the property in conformance with all terms of the lease and with all necessary and applicable federal, state and local permits, laws and regulations.

(c) Mandatory Lease Terms

- (1) Inspections - The Conservation Commission reserves the right to inspect the property, at least annually, upon providing tenant with proper notice prior to any inspection.

- (2) Payment of the lease rate shall be made on the day as set forth in the final lease agreement; any delay in payment must be communicated to and approved by the Conservation Commission. Any unauthorized delay shall be construed as a breach of the lease agreement and the Commission may take appropriate action.

ATTACHMENTS

- A. Bid Form
- B. Certification of Tax Compliance (Form)
- C. Statement of Non-Collusion
- D. Disclosure of Beneficial Interests
- E. Property Stewardship - G.L. c.60, §77B

ATTACHMENT "A"

BID FORM - Map 6U, Lot 8, 108 Canton Street, Easton, MA

TOWN OF EASTON

BID PRICE FORM FOR PURCHASE OF PROPERTY DESCRIBED IN THIS RFP

Total Bid: \$ _____

Bid Dollar

Amount in Writing: _____

SIGNATURE OF BIDDER: _____

NAME OF BIDDER: _____

DATE: _____

ATTACHMENT "B"

CERTIFICATION OF TAX COMPLIANCE

The following certification statement is to be signed by the proposer.

I hereby certify that I am a _____ (title of officer of the company) and duly authorized representative of _____(name of company), whose address is _____ and that I hereby certify that pursuant to MGL Chapter 62, Section 49A, under the penalty of perjury that the above firm or corporation, to the best of my knowledge and belief, has filed all Massachusetts Tax Returns and paid all Massachusetts taxes, reported all employees and contractors, and withheld and remitted child support, as required by law.

Signature

Printed Name

Date

ATTACHMENT "C"

CERTIFICATE OF NON-COLLUSION

_____ declares that, as of the date of this Contract, no Town official, either directly or indirectly, has a financial interest in this Contract, and furthermore, the Contractor pledges that it shall notify the Town in writing should any Town official acquire, either directly or indirectly, a financial interest in this Contract. The Contractor further declares that, as of the date of this Contract, it has not given or donated or promised to donate, either directly or indirectly, to any Town official or employee or to anyone else, for his/her benefit, any sum of money or other thing of value for aid or assistance in obtaining this Contract. The Contractor pledges that neither it nor any other officer, agent or employee of the Contractor shall give or donate or promise to give or donate, either directly or indirectly, to any Town official or employee or to anyone else, for his/her value, for aid of assistance in obtaining any Contract with the town.

(NAME OF COMPANY)

Social Security Number or Federal

Identification Number

By _____
Corporation Officer or Authorized

ATTACHMENT "D"

DISCLOSURE STATEMENT

ACQUISITION OR DISPOSITION OF REAL PROPERTY

For acquisition or disposition of Real Property by _____ the undersigned does hereby state, for the purposes of disclosure pursuant to Massachusetts General Laws, Chapter 7, section 40J, of a transaction relating to real property as follows:

- (1) REAL PROPERTY DESCRIPTION:
- (2) TYPE OF TRANSACTION:
- (3) SELLER or LESSOR:
- (4) BUYER or LESSEE.
- (5) Names and addresses of all persons who have or will have a direct or indirect beneficial interest in the real property described above:

<u>NAME</u>	<u>RESIDENCE</u>
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- (6) None of the above mentioned persons is an employee of the Division of Capital Asset Management or an official elected to public office in the Commonwealth except as listed below.
- (7) This section must be signed by the individual(s) or organization(s) entering into this real property transaction with the public agency named above. If this form is signed on behalf of a corporation or other legal entity, it must be signed by a duly authorized officer of that corporation or legal entity. The undersigned acknowledges that any changes or additions to items 3 and or 4 of this form during the term of any lease or rental will require filing a new disclosure with the Division of Capital Asset Management and Maintenance within thirty (30) days following the change or addition.

The undersigned swears under the pains and penalties of perjury that this form is complete and accurate in all respects.

Signature: _____
Printed Name: _____
Title: _____
Date: _____

ATTACHMENT "E"

PROPERTY STEWARDSHIP

TO: TOWN OF EASTON

Town Offices

136 Main Street

Easton, MA 02356

I _____, the undersigned, in compliance with M.G.L. c. 60, s.77B, state that neither I nor any person who would gain equity in the property as a result of such conveyance has ever been convicted of a crime involving the willful and malicious setting of a fire or of a crime involving the aiding, counseling or procuring of a willful and malicious setting of a fire, or of a crime involving the fraudulent filing of a claim for fire insurance; or is delinquent in the payment of real estate taxes to the city or town in which the property is being sold, or if delinquent, that a pending application for abatement of such tax, or a pending petition before the appellate tax board or the county commissioners has been filed in good faith.

If there is more than one grantee of such deed, each grantee must file such statement, and no such deed shall be valid unless it contains a recitation that the board or officer granting the deed has received such statement.

The undersigned swears under the pains and penalties of perjury that this form is complete and accurate in all respects.

Signature:

Printed

Name:

Title:

Date: