

# CITY OF GREENFIELD, a/k/a TOWN OF GREENFIELD GREENFIELD, MASSACHUSETTS

RFP TITLE: Purchase and Redevelopment of

180 Laurel Street

RFP #: 17-03

DATE OF ISSUANCE: September 28, 2016 at 10:00 a.m.

BID DUE DATE: October 28, 2016 at 2:00 p.m.

SUBMIT TO: PURCHASING DEPARTMENT

CITY OF GREENFIELD 14 COURT SQUARE

GREENFIELD, MA 01301

Sealed proposals addressed to the Procurement Office, 14 Court Square, Greenfield, MA 01301 and endorsed "Proposal for Contract 17-03 Redevelopment of 180 Laurel Street" will be accepted by the Mayor's Office in City Hall until 2:00 p.m., October 28, 2016.

A complete copy of the documents and specifications may be received electronically as of September 28, 2016 after 10 a.m. by contacting the Purchasing Department of the City of Greenfield at purchasing@greenfield-ma.gov or by calling 413-475-1301.

Contract/Proposal Awarding Authority: City of Greenfield

Greenfield, Massachusetts

#### ADVERTISEMENT FOR BIDDERS

#### City of Greenfield Procurement Office 14 Court Square Greenfield, MA 01301

The City of Greenfield is requesting proposals from qualified purchasers for the purchase and redevelopment of 15 acres of the former Bendix/Besly property at 180 Laurel Street, Greenfield, MA, identified on the Greenfield Assessor's as Map R41, Lot 2.

The project consists of disposition and redevelopment of 15 acres of a former machine tool factory owned by Besly Cutting Tools later acquired by the Bendix Corporation. A deed for the property was granted to the City of Greenfield for non-payment of taxes through the Massachusetts Land Court in 2010. Copies of the final judgment will be provided on request.

Sealed proposals addressed to the Procurement Office, 14 Court Square, Greenfield, MA 01301 and endorsed "Proposal for Contract 17-03 180 Laurel Street Redevelopment" will be accepted by the Mayor's Office in City Hall until 2:00 P.M., October 28, 2016.

The site is zoned General Industrial and located at the south end of Laurel Street. The property is a 43D Priority Redevelopment Site and is situated in a New Market Tax Credit Program eligible Low-Income Community census tract.

The City is looking for a developer who can offer redevelopment in a manner that is consistent with realistic market opportunities, provides the greatest financial benefit to the city through returning the vacant property to the tax rolls, and can act in a timely manner.

Bid documents may be located on the City of Greenfield website at <a href="www.Greenfield-ma.gov">www.Greenfield-ma.gov</a> under "Departments", "Purchasing", "Active Bids/RFQ/RFP" or electronically by contacting the Purchasing Department of the City of Greenfield at <a href="purchasing@greenfield-ma.gov">purchasing@greenfield-ma.gov</a>.

A site visit to the property can be arranged by appointment. Interested parties should contact Lindsay Rowe to arrange a time at <a href="mailto:lindsayr@greenfield-ma.gov">lindsayr@greenfield-ma.gov</a> or 413-475-1301.

For further information contact:

M. L. Kelly Procurement Officer City of Greenfield 14 Court Square Greenfield, MA 01301 1-413-772-1581 ext. 6172

#### 1. Introduction

The City of Greenfield is requesting proposals from qualified purchasers for the purchase and redevelopment of 15 acres of the former Besly/Bendix property at 180 Laurel Street, Greenfield, MA.

The project consists of disposition and redevelopment of 15 acres of a former machine tool factory owned by Besly Cutting Tools later acquired by the Bendix Corporation. Ownership of the property was granted to the City of Greenfield for non-payment of taxes through the Massachusetts Land Court in 2010. Copies of the final judgment will be provided on request.

The site is zoned General Industrial and located at the southern most point of Laurel Street. The property is a 43D Priority Redevelopment Site and is situated in a New Market Tax Credit Program eligible Low-Income Community census tract.

The City is looking for a developer who can offer redevelopment in a manner that is consistent with realistic market opportunities, provides the greatest financial benefit to the City through returning of vacant property to the tax rolls, and is attainted in a timely manner.

This property offers a unique development opportunity for industrial land to own:

- The property fronts on a residential road, and is near I-91 and Route 2 for easy regional accessibility.
- The property offers 15 Acres of land zoned for industrial uses.
- The property is a 43D Priority Redevelopment Site.
- The property is situated in a New Market Tax Credit eligible census tract.
- The purchaser may be eligible for a 'Brownfields Covenant Not to Sue' from the Attorney General pursuant to MGL c. 21E and 940 C.M.R. 23.00, which protects the future owner from liability associated with the site's existing conditions.

#### 2. Bid Evaluation Process

The City will appoint a selection committee to review all proposals and recommend finalists. The evaluation process below outlines the criteria the Committee will utilize to review qualifications and rank the finalists. The City reserves the right to reject any and all proposals in whole or part for any reason and to waive any minor informality within proposals or this document.

The developer selection process generally involves:

- The submission of proposals responsive to the RFP
- Evaluation of Minimum and Comparative Evaluation Criteria
- Review by the City
- Interviews with the City and the designated selection committee
- Execution of a Project Development Agreement by the selected developer outlining the terms of a purchase and sale for the redevelopment of the site
- Fulfillment of the terms of the Project Development Agreement

#### 3. Development Concept

The City is seeking the most advantageous proposal consistent with the selection criteria and proposal requirements set forth in this RFP which can be completed in a timely fashion.

While the financial benefits of a proposal are important to the selection of a proposal, the City will consider broader benefits to be realized from the project to be important as well and will consider all selection criteria.

The property is being offered in "as is" condition. Although information regarding the property is taken from reliable sources, such information has not been verified in all cases and no representation or warranty is made or implied as to its accuracy. The City has not made nor does make any representation or warranty as to any matter affecting or relating to the Project Site, including, but not limited to, its physical condition. Prospective bidders should undertake their own reviews and reach their own conclusions concerning zoning, title and survey matters, required approvals, physical conditions, environmental conditions, reuse potential, utility services, and development, leasehold, legal and other considerations. Proposers are responsible for making their own determinations of existing conditions.

Anyone wishing to review available reports that are not appended to this document should contact Lindsay Rowe, Communications and Constituent Services Coordinator, at 413.475.1301 or <a href="mailto:lindsayr@greenfield-ma.gov">lindsayr@greenfield-ma.gov</a>. Available reports are offered solely to facilitate a proposer's independent investigations, examinations, due diligence and analyses of the project site.

The City of Greenfield reserves the right to reject any and all proposals or to cancel the RFP, if it is determined to be in its best interest.

#### 4. Location and Site Information

The site is located 1.5 miles from the junction of I-91 and Route 2, and 30 miles from the Massachusetts Turnpike (I-90). The Town acquired the site through tax foreclosure granted by the Land Court in 2010.

The site is shown as 17.3 acres on Town Assessors' Map R41, Lot 2 (see attachment). The Disposition Property consists of 15 acres of general industrial zoned land. The site currently includes a 94,080 square foot abandoned industrial building, blacktop, and woods. The Town wishes to reserve up to 2.3 acres of the total for its future use.

The Disposition Property's deed describes the metes and bounds of the parcel and is recorded at the Franklin County Registry of Deeds in Greenfield under Book 5658 Page 342. The ownership of the property by the Town of Greenfield is identified in a Judgment of Tax Lien Case recorded at the Franklin County Registry of Deeds on Book 03775 on Page 33.

#### **Description of the Property**

Assessor Map & Lot: Map R41, Lot 2

Deed Reference: Book 5658 Page 342 Franklin County Registry of Deeds

Site: 17.3 Acres of Land – Several utility easements exist for said property and may be researched through the Franklin County Registry of Deeds.

Zoning: GI – general industrial, no minimum lot area. The site is a 43D Preferred Development Site, which establishes a streamlined local permitting process for development of the site and guarantees permit decisions within 180 days.

Design and Use: Vacant lot with abandoned industrial building (circa 1961), driveway, and woods.

Access: Access into the property is from Laurel Street from the north. This has been the traditional access point into the property. Laurel Street is a paved two lane street in a primarily residential neighborhood. About 100 yards to the north of the subject boundary is the intersection with Fairview Street. To the east are five abutting single family houses which have access and frontage off of Wisdom Way. On the south of the subject property is a cemetery. On the west is the I-91 highway.

Utilities: Water, sewer, electric, and internet are all available to the subject property. There is a disconnected natural gas line on the site that could be upgraded and reconnected, if Berkshire Gas Company chooses to lift the current moratorium on new gas customers. The site also has easy access to MassBroadband 123, a 1,200- mile fiber optic network in western and north-central Massachusetts, owned by the Massachusetts Broadband Institute.

Flood Hazard: The subject is in a FEMA Flood Zone C: Areas of Minimal Flooding.

History & Hazardous Waste or Contamination: In 1961, the Treadwell Tool Co. built the facility, with an extension in 1965. In 1982, Bendix Corp. purchased the property, and in 1984, they sold it to a subsidiary of Besly Products, Inc. From 1984-1990, the primary manufacturing activity at the former plant was metalworking, including the milling and grinding of steel drill bits and taps. Cutting oil and degreaser fluid were used within the former plant – these contributed to contamination at the site. After being idle for 8 years, it was sold in 1998 to Repal Inc, which used the property to store and process wood pallets and collect dry good and discarded materials. In 2006, as a result of foreclosure, the property was sold at auction to SL Financial. In February 2010, the property was taken by the Town of Greenfield for back taxes. See section 6 for a full discussion of the DEP remediation. It is the City's understanding that there are no measurable hazardous materials outside of the scope of the clean-up ordered by DEP.

Wetlands: There are no designated wetlands areas on the subject

Rivers Protection Act: The area is not within a Rivers Protection Act area.

Natural Heritage & Endangered Species Program: None of the area is in Priority Habitat or Estimated Habitat areas.

# 5. Goals for the Redevelopment Project

The principles and goals for the redevelopment process are:

- To attract and enable private investment.
- To provide the maximum financial benefit to the Town.
- To return vacant property to the tax rolls in a reasonable time frame.
- To maximize the use of the property in a manner that is consistent with realistic market opportunities.
- To support sustainable development practices, including economic benefits to the community through job creation and efficient use of existing resources.

#### **6.** Environmental Status

This property was owned at one time by Besly/Bendix. An environmental study has shown the presence of chemicals and other hazardous materials on the site. DEP cleanup has been ongoing. The prospective developer should refer to the link below and review the reports:

http://public.dep.state.ma.us/SearchableSites2/Site\_Info.aspx?textfield\_RTN=1-0000079

During the operations of the Besly facility, a drywell was used for the disposal of cutting oils and the degreaser trichloroethene (TCE). In 1984, the drywell and approximately 740 tons of surrounding soils were removed. A groundwater contamination plume which contains TCE extends from the site to the Green River to the north. In 1991, following a series of investigations, a groundwater recovery treatment system was installed at the northeastern property boundary. The groundwater recovery treatment system building was demolished in 2015.

The site has not yet achieved regulatory closure; any future re-development of the site should be evaluated to ensure that the redevelopment project does not impact ongoing treatment of contaminated groundwater. Bidders should be aware of the liability provisions of c.21E, as there is potential liability for any offsite groundwater impacts. However, the c.21E s.5C provides a "liability endpoint" for "eligible persons;" bidders may contact the Attorney General's office to discuss the feasibility of a "Covenant Not to Sue Agreement" for this site.

Proposers should conduct their own review and assessment of the reports completed to date and/or the environmental condition on the site, as the DEP may not issue a closure letter before transfer to the selected developer.

#### 7. Proposal Submittal Requirements

Responses must contain the following three (3) components:

- 1. Cover letter
- 2. Properly executed bid forms
- 3. Project specific information

Complete proposals should include all of the following:

- 1. A cover letter is required that summarizes the project AND addresses the following:
  - State if Bidder, its principals, and/or personnel has filed for U.S. Bankruptcy Court protection during the past seven (7) years, and if so, describe the circumstances and disposition of the case.
  - State if the bidder is a joint venture, and if so, provide the joint venture agreement and a statement that all joint venture partners will be jointly or severally liable
  - Document any name change or changes in corporate organization that have necessitated a filing with the secretary if the Commonwealth or other state authority during the last ten (10) years. Explain the reasons behind these changes.
  - State whether within the past ten (10) years there have been or whether there are currently pending any past civil or criminal investigations and/or conviction of or actions against you, your firm, or individual employees by a federal or state regulatory agency or taxing authority in connection with any work with which you or your firm has been associated which have led to convictions.
  - State whether any of the key personnel you propose to assign to this project have been or are subject to any such investigations or actions. If the response to any of the foregoing is affirmative, provide an appropriate explanation to include the disposition of the proceedings.
- 2. Properly executed bid forms including:
  - Request for Proposal Form completed and signed
  - Tax Compliance Affidavit, signed and notarized
  - Conflict of Interest Certification
  - Non-Collusion Certification
  - Disclosure of Beneficial Interest
  - A Purchase Price Offer
- 3. Completed Proposals should also include:
  - A narrative description of the proposed redevelopment program, including a preliminary site plan and elevations
  - Purchase price and terms
  - Financial plan for the project, including financing

- Project schedule with proposed timelines for implementation of the proposed redevelopment plan including any demolition, and phasing if necessary.
- Description of how proposed plan adheres to land use restrictions and/or zoning.
- A listing of principals involved in the proposal including the lead development team entity, any contractors, engineers, consultants, etc.
- Previous relevant experience of development team members

Proponents are subject to all current zoning, building restrictions and controls. Bidders must be current on all taxes, fines, fees and other debts or liabilities that they may have with the City of Greenfield. Any bidder with a significant history of non-compliance with code enforcement will be automatically disqualified.

#### The submission package proposal must be submitted as follows:

Bidder's name, address, phone and fax number marked on the outside of the envelope, with enclosed proposals. The envelope must be marked "RFP 17-03 180 Laurel Street Redevelopment."

#### 8. Submission Deadline and Requirements

COMPLETED SUBMISSION PROPOSALS MUST BE RECEIVED BY OCTOBER 28, 2016 at 2:00 P.M.

They should be submitted to:

Office of Procurement c/o Mayor's Office 14 Court Square Greenfield, MA 01301

## 9. Questions and Answers

Questions must be submitted in writing no later than 5:00 p.m., EST, on October 21, 2016. Questions can be faxed or e-mailed to the Office of Procurement:

Fax Number: 413-772-1519

E-mail: purchasing@greenfield-ma.gov

Please provide an e-mail address for responses. All answers to questions will be posted to the City of Greenfield website and e-mailed to all known bidders.

#### 10. Site Visit

A site visit to the property can be arranged by appointment. Interested parties should contact Lindsay Rowe to arrange a time at <a href="mailto:lindsayr@greenfield-ma.gov">lindsayr@greenfield-ma.gov</a> or 413-475-1301.

#### 11. Selection Criteria

All proposals will be evaluated in conformity with the requirements of MGL. Ch. 30B. The City will designate a Selection Committee to evaluate proposals on its behalf. The Selection Committee will use both Minimum Selection Criteria and Comparative Criteria to evaluate proposals.

The Minimum Threshold Criteria will establish the basic eligibility of the proposal for further review. Acceptable proposals will be judged in accordance with the Comparative Criteria provided below. The most advantageous offer from a responsive and responsible proponent, taking into consideration all evaluative criteria and price will be selected.

#### a) Minimum Evaluation Criteria

In order for a proposal to be considered responsive and responsible and to be considered for further consideration, the proposal must meet the following Minimum Evaluation Criteria:

Minimum Criterion #1: The proposal must be complete, must be submitted on or prior to the submission deadline, and must contain, at a minimum, all of the required elements of the proposal package as delineated above in Section 7 Proposal Submittal Requirements. Failure to meet any submission requirement shall result in rejection of the proposal.

<u>Minimum Criterion #2:</u> Principals of the lead firm and members of the development team must have experience in the appropriate fields of discipline required for successful implementation of the proposal.

#### b) Comparative Evaluation Criteria

The following ratings will be used to measure the relative merits of each proposal that has met the Minimum Evaluation Criteria shown above against each of the criteria shown below:

**Highly Advantageous (HA):** The proposal fully meets and significantly exceeds the standards of the specific criterion.

**Advantageous (A):** The proposal fully meets the evaluation standard of the specific criterion.

**Not Advantageous (NA):** The proposal does not fully meet the evaluation standard of the specific criterion, is incomplete, unclear, or both.

Unacceptable (U): The proposal does not meet, or address the evaluation standard of the criterion.

# The following criteria will be used by the Selection Committee to evaluate proposals:

## A. Proposer History and Capacity

- **HA-** The proponent has a team with a successful track record of financing, redevelopment, operation and economic performance of development projects of comparable size, type, scale, and complexity on time and within budget forecast.
- A- The proponent has a team with a successful track record of development projects, but projects completed are not of a comparable type, size, scale or complexity.
- **NA-** The proponent has not demonstrated a successful track record on projects of this magnitude and/or complexity
- U- Non-responsive

## B. Project Feasibility

- **HA-** The proponent has documented a clear, comprehensive redevelopment plan and/or management plan. The schedule and budget are supported by detail, and construction and/or rehabilitation costs are reasonable. The proponent is readily available to undertake the project, has resources and/or commitments from a prospective tenant(s) and has submitted proof of that.
- **A-**The proponent has documented an acceptable redevelopment schedule and budget but aspects of the plan are not clearly defined and/or realistic. The proponent's response is not fully detailed or committed.
- NA- The proponent has submitted a redevelopment plan that is unclear or unrealistic.
- U-Non-responsive

#### C. Readiness to Proceed

- **HA-** The proponent has an experienced development team with the expertise to successfully complete the project in a timely manner and to successfully operate the property going forward. The proponent has an aggressive but realistic timeline.
- **A-** The proponent has a partially assembled development team with the expertise to complete the project. The proponent's timeline is questionable and/or needs clarification.

- **NA-** The proponent has not demonstrated that he is ready to proceed. The timeline is unsupported.
- U-Non-responsive

# D. Direct Financial Benefit to the City

- HA-The proposal offers the greatest direct financial and/or fiscal benefits to the City
  of Greenfield including but not limited to job opportunities, training programs,
  property taxes and neighborhood enhancement.
- **A-**The proposal offers some direct financial and/or fiscal benefits to the City of Greenfield including but not limited to job opportunities, training programs, property taxes and neighborhood enhancement.
- NA- The proposal offers no direct financial and/or fiscal benefits to the City of Greenfield
- U-Non-responsive

#### 12. Significant Dates

The anticipated schedule, which in the discretion of the City or the Selection Committee can be modified if needed, is as follows:

Wednesday, September 28, 2016 RFP Issued

Wednesday, September 28, 2016 RFP advertised in the Central Register and the

Recorder

Wednesday, October 5, 2016 RFP advertised in The Recorder

Wednesday, October 21, 2016 Questions due by 5 p.m.

Friday, October 28, 2016 Proposals due by 2 p.m.

Monday, Oct 31- Tuesday, Nov 1, 2016 Proposals Reviewed

Wednesday, November 2, 2016 Recommendation made

#### 13. Terms of Purchase

The sale of the property is subject to the conditions set forth in Section 4, above,

- The property shall be sold "as is" with no representations or warranties, express or implied, regarding the condition of the property, compliance with legal requirements or any other matter. In addition, the purchaser will accept all responsibility for environmental concerns upon the transfer of the property.
- The purchaser shall be required to pursue all approvals necessary for the redevelopment of the Project Site and to perform the redevelopment at its own expense.
- There shall be no financing contingency connected with the sale, nor will any option arrangements be considered.
- There shall be no inspection contingency. All proposers may request a walk-through of the parcel. Upon the selection on November 2 of a successful bidder, said bidder shall have until November 21, 2016 to conduct due-diligence inspections and to review the premises to determine the suitability of the project site for purchase prior to the execution of a purchase and sell agreement if needed.
- The closing date shall occur once the Mayor approves the transfer, unless otherwise extended at the sole discretion of the Mayor.
- The City maintains the right to cancel this RFP at any time, and/or accept or reject any and all proposals for any reason for the best interests of the Town. No proposer should contact any member of the Town or selection committee at any time during the RFP and review process.

# 14. Offering Price

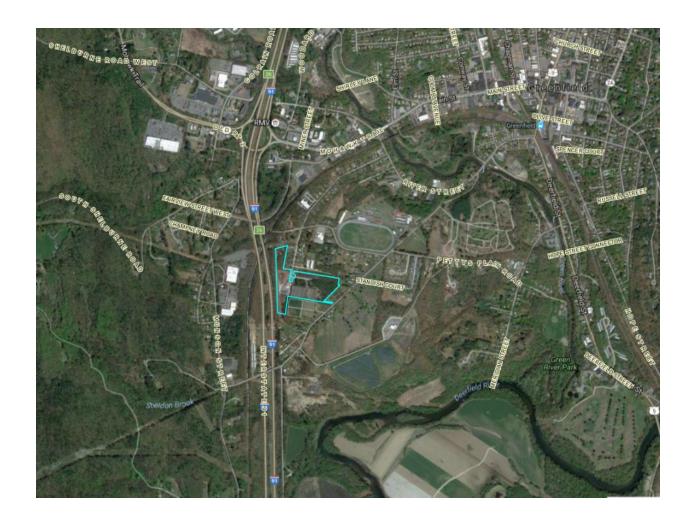
For purposes of complying with the requirement of MGL 30B, the value of the property is based on the 2016 Town of Greenfield property tax assessment (Total: \$916,700, Building: \$540,900, Land: \$346,800, Yard: 29,000) and is supplied for informational purposes.

A minimum bid of \$300,000 is expected. Proposers should explain how they arrived at their sale price proposal.

The Town is not obligated to select the proposal with the highest price if another proposal better satisfies the selection criteria and other requirements of this RFP as a whole. The selection of a developer will be based on the most advantageous offer from a responsive and responsible proposer, taking into consideration all evaluation criteria and price.

# **15. Maps**

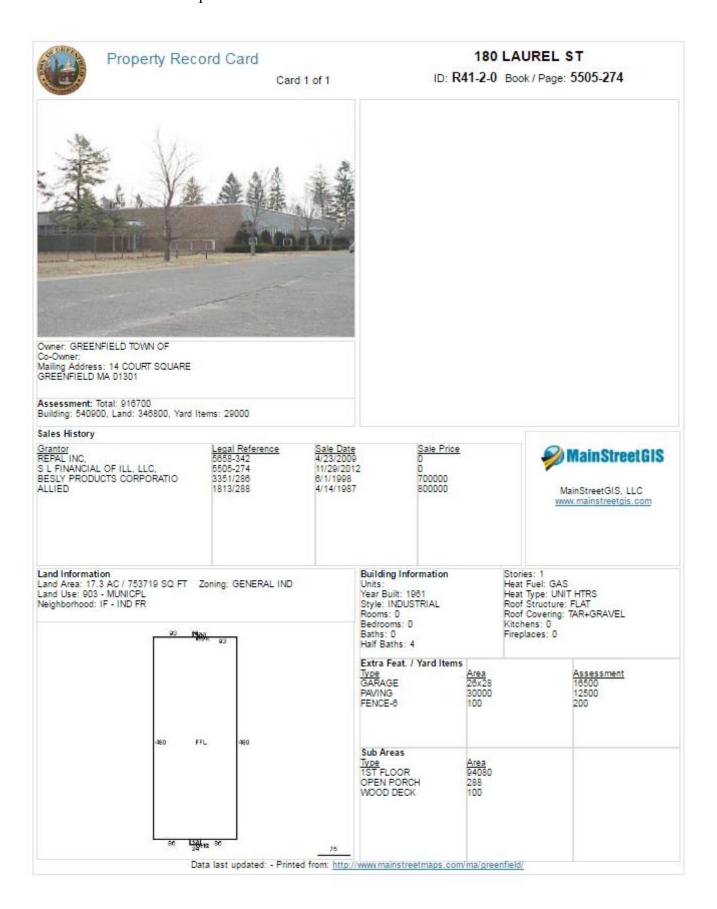
GIS maps (p. 13, 14, 15) and property record card (p. 16) are available on the following pages. More information is online at: http://www.mainstreetmaps.com/ma/greenfield



RFP 17-03 – Redevelopment of 180 Laurel Street







# **PROPOSAL FORM**

To be submitted with the proposal and/or bid

This Proposal	l is for:	17-03 Redevelopment of 180 Laurel Street		
Due date:		2:00 p.m., October 28, 2016		
This proposal is su	bmitted by:	Company Name		
		Company Address		
I acknowledge rece	eipt of addenda n	numbered:,,		
Signed by:	(Printed or T	Γyped Name or Title)		
	(31	/		
Offering price:	(Signature) \$	(Date)		
Telephone No:				
Fax No:				
E-mail Address:				
Date:				
Proposals received	after the due dat	te and time will be returned unopened.		

Proposals received after the due date and time will be returned unopened. All packages/envelopes must be marked with the proponent's business name, the RFP number and the due date.

# **CERTIFICATE OF NON-COLLUSION**

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

(Signature of individual submitting bid or proposal)	
	(Name of business)

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# TAX COMPLIANCE CERTIFICATION

Pursuant to M.G.L. c.62C s.49A, I certify under the penalties of perjury that, to the best of my knowledge and belief, I am in compliance with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.			
Signature of person submitting bid or proposal			
Name of Business			



William F. Martin Mayor

# GREENFIELD, MASSACHUSETTS

#### PURCHASING DEPARTMENT

## MARJORIE L. KELLY Chief Procurement Officer

Town Hall • 14 Court Square • Greenfield, MA 01301 Phone 413-772-1567, ext. 102 • Fax 413-772-1519 Lanekel@greenfield-ma.gov • www.greenfield-ma.gov

Any contractor doing business with the Town of Greenfield must stipulate as to the applicability of the Massachusetts Conflict of Interest Law (MGL Ch. 268A). The Contractor acknowledges that he has investigated the law's applicability to the performance of the contract; and by signing below the Contractor certifies to the Town that neither it, nor its agents, employees, or subcontractors are in violation of MGL. Ch. 268A.

Signature	Title

# **Disclosure of Beneficial Interests in Real Property Transaction**

# RFP 15-09- Lunt Redevelopment

This form contains a disclosure of the names and addresses of all persons with a direct or indirect beneficial interest in the real estate transaction described below. This form must be filed with the City of Greenfield as required by MGL Ch.7 §40J prior to the conveyance of or execution of a lease or purchase for the real property described below. Attach additional sheets if necessary.

1. Public agency involved in this transaction:				
	N	ame of jurisdicti	on	
2. Complete legal descripti	on of property	y:		
3. Type of transaction:	Sale	Lease	Rental for	(term)
4. Seller(s) or Lessor(s):				
Purchaser(s) or Lessee(s):				
5. Names and addresses of interest in the real property indirect beneficial interest except that, if the stock of the person holding less than terms.	described about the real protection described about the real protection.	ove. Note: If a coperty, the names on is listed for sa	orporation has, or will as of all stockholders mule to the general public	have a direct or ust also be listed , the name of any
Name		Address		

# RFP 17-03 – Redevelopment of 180 Laurel Street

Name	Title or Position
-	_
property transaction with the public ager corporation, it must be signed by a duly If leasing, the undersigned acknown form during the term of any lease	dividual(s) or organization(s) entering into the real ncy named in item 1. If this form is signed on behalf of a authorized officer of that corporation.  Owledges that any changes or additions to item 4 of this e or rental will require filing a new disclosure with the res following the change or addition.
Signature:	
Printed Name:	
Title:	
Date:	

None of the persons listed in this section is an official elected to public office in the City of Greenfield except as noted below: