

TOWN OF WESTFORD

REQUEST FOR PROPOSALS

BOSTON ROAD AFFORDABLE HOUSING

Town of Westford

REQUEST FOR PROPOSALS – Boston Road

The Town of Westford, through its Board of Selectmen and Affordable Housing Committee (“AHC”), is seeking proposals for the purchase of a 17.74-acre municipally owned parcel of land located adjacent to the intersection of Boston Road and Blake’s Hill Road in the Town of Westford. The parcel is bounded to the north by Blake’s Hill Road, to the east by Boston Road, to the west by land owned by New England Power Company and National Grid, and to the south by Interstate 495. The Town intends to convey the property for the construction of affordable housing units. The affordable units will be sold to first time homebuyers below 80% median family income. The purpose of this RFP is to select a qualified developer, with experience in constructing housing, pursuant to the following findings:

1. The Town of Westford does not meet the requirement of Commonwealth communities to have 10% of their housing stock be affordable as defined in Massachusetts General Law (MGL) Chapter 40B Section 21.
2. All communities are further ordered to be annually housing certified.
3. The Town of Westford has outlined the provision of affordable housing as a goal.

Copies of the Request for Proposals (RFP) may be obtained during normal business hours after 8:30 a.m. on February 18, 2009 at the Office of the Town Manager, 23 Depot Street (behind the Abbot School), Westford, MA 01886. The RFP may be secured by contacting:

Town of Westford
Town Hall
Office of Town Manager
55 Main Street (Mail address only)
Westford, MA 01886
Phone: (978) 692-5501
Fax: (978) 399-2557

Proposals, in a format described herein, **will be due in the Town Manager’s office located at 23 Depot Street (behind the Abbot School) not later than 1:00 p.m. on Thursday, March 12, 2009.** No proposal will be considered which is received after that time for any reason.

SITE DESCRIPTION AND BACKGROUND

Objectives: The Town of Westford is seeking a developer to purchase the Boston Road parcel, construct an affordable housing development which provides affordable units, incorporates open space, and meets the community's vision as set out in the Town's Concept Plan and the evaluation criteria described below.

Location and Site Information:

The proposed lot for acquisition is located south of Westford Center adjacent to the intersection of Boston Road and Blake's Hill Road, is comprised of 17.74 acres of residential agricultural zoned (RA) land. The parcel is bounded to the north by Blake's Hill Road, to the east by Boston Road, to the west by land owned by New England Power Company and National Grid, and to the south by Interstate 495. The property, available for disposition through this RFP, is Parcel 3.3, Tax Map 22, with a Registry of Deeds reference of Book 7366 – Page 211. The total land area is approximately 17.74 acres.

The Town has completed a Concept Plan (Plan A and Plan B) for development of this site for the purpose of affordable housing. It is highly recommended that each proponent review the Concept Plan. The following engineering studies pertain to this property. In January 2007, Landtech Consultants, Inc. prepared a Supplemental Data Report, detailing existing conditions, soils and drainage analysis, site access analysis, and site plans. The Northern Middlesex Council of Government completed a Draft Site Assessment and Development Options Report in September 2007. For further information regarding these studies, please contact the Office of the Town Manager.

Optional Pre-Bid Site Tour and Briefing

Each proponent is invited to attend a briefing session and property tour to be held on: Thursday, February 26, 2009 at 1:00 pm, in Conference Room "B" located at 23 Depot Street (behind the Abbot School). A tour of the property will follow the briefing. For more information, contact the Office of the Town Manager.

Control of Property:

The Town acquired title, by deed, to this parcel in 1987. Title is subject to any and all applicable rights and easements of record. In addition to wetland resource areas existing on the property, overhead utility transmission lines, and easements related thereto, cross a portion of the parcel.

Zoning:

This property is zoned Residence A (RA).

Survey:

Please see Attachment "H", for a copy of the Plan of Land – Boston Road.

GENERAL ACQUISITION AND DEVELOPMENT TERMS

The Town of Westford assumes that all proponents have read and thoroughly understood all aspects of the information provided in this RFP and that each proposal will be based on this information. All other information that is in the possession of the Town will be made available for the use of the selected developer as part of the detailed development of the affordable housing development plans for this site.

Implementation Guidelines and Schedule.

The selected developer will enter into an acquisition agreement with the Town relative to the purchase and development of the site, and will deposit with the Town a sum to be negotiated. The minimum bid will be \$1. The Town understands that there may be minor changes in the development plans as they are refined in detail, but the Town expects that the development actually undertaken on this site by the selected developer will be substantially the concept presented by the developer in the proposal submitted in response to this Request for Proposals.

As determined by the Town Engineer, the developer is expected to provide public improvements as necessary to service the site, such as appropriate street and sidewalk modifications. The Town will transfer fee simple title to the property to the selected developer. The Town will not accept any proposal whose purpose is merely to hold the site vacant or underutilized for purposes of land speculation.

The successful proponent agrees to begin construction efforts within six (6) months of receiving title to this property. Each proposal shall specify a time path for completion of the development. The successful developer shall close on the acquisition of the parcel and commence work as soon as reasonably possible following the execution of an acquisition agreement.

Closing. The closing and transfer of title shall not occur unless and until the selected developer has obtained a binding commitment from a governmental or institutional lender for a construction loan in an amount adequate, at the discretion of the Town, to complete the work proposed. The closing shall occur contemporaneously with the closing on the construction loan financing. Any mortgage securing the construction loan financing shall be expressly subject to the acquisition agreement including all deed restrictions required by this RFP.

Right of Reverter. The acquisition agreement shall incorporate a critical path time schedule for major milestones required through the agreed to date for completion of the project. Should the selected developer fail to commence the work or substantially complete the work within the required time frame, the Town shall provide written notice of said breach. The selected developer shall have thirty (30) days to cure said breach, or additional time as agreed to in writing by the parties. Failure to cure shall result in the property reverting to the Town.

Due Diligence. Bidders shall be responsible for conducting their own review and analysis, at its sole cost, as to all aspects of the project and the subject property, including physical conditions, environmental conditions, applicable zoning and regulatory provisions.

Role After Disposition. Upon transfer of title, the Westford Housing Authority shall work with the selected bidder to conduct cost certification and the affordable housing lottery process.

DEED RESTRICTIONS

Recognizing the significant investment that the Town is making in providing this property and the need for affordable housing in Town, the Town has adopted the following restrictions that will be placed upon the property, for the benefit of the Town, and enforceable by the Town through

its Board of Selectmen or authorized representative:

1. Maintain the affordability of the units in perpetuity;
2. Ensure the unit qualifies for the Town's Affordable Housing Inventory as compiled by the Commonwealth;
3. Restrict the re-sale of the property to low-to moderate-income first time homebuyers; and
4. The Westford Housing Authority will be responsible for marketing and homebuyer selection in compliance with regulations.
5. Ownership of the property shall revert back to the Town, in the event that affordable housing units, or the general development of the site, are not constructed in accordance with the final acquisition agreement executed with the Town of Westford pursuant to this RFP.
6. Title shall be subject to any and all existing utility or access easements governing the parcel.

SUBMITTAL AND CONTENT OF PROPOSALS

Proposals, in the format and content described as follows, will be due at the Office of the Town Manager located at 23 Depot Street (behind the Abbot School) in Westford, MA not later than **1:00 p.m. on Thursday, March 12, 2009**. Proposals submitted by the U.S. Postal Service, must be in sealed envelopes appropriately marked, and delivered by that time to:

Jodi Ross, Town Manager
Town of Westford
Town Hall
55 Main Street (Mail address only)
Westford, MA 01886

Any proposal received after that time or any proposal that is received incomplete will not be accepted, and no exceptions will be made for any reason. The Town will not be responsible for the complete or timely receipt of any proposal or portion thereof. Proposals received may not be withdrawn or amended after the aforementioned time and date.

Complete proposals will consist **of an original and ten (10) full copies** on 8-1/2"x11" paper (except that plans and drawings may not exceed 11"x17" in size). Proposals shall be limited to 50 pages single-spaced, single sided, including exhibits but not including plans and drawings.

Questions: All questions about the meaning or intent of this Request for Proposals shall be directed in writing by mail or fax only to Jodi Ross, Town Manager at the above-listed address and fax number. Questions must be received by **1:00 p.m. on Thursday, March 5, 2009**. The Town will issue written replies to any questions to all parties who have picked up proposals. Written clarifications or interpretations will be issued by Addenda and will be the only legally binding changes to this Request for Proposals. Oral and other clarifications or interpretations will be without legal effect.

Preparation Cost. Each proposal in response to this Request for Proposals must be prepared at the time, cost, and expense of the proponent, and with the express understanding that the Town of Westford will not pay for the cost or expense of its preparation, subsequent negotiations or other activities prior to or following the designation of the selected developer.

General Submittal Conditions. The Town of Westford makes no express or implied representations or warranties as to the accuracy and/or completeness of any of the information provided as part of the Request for Proposals, including information that is available upon request. This information is provided subject to errors, omissions, change of cost, lease or conditions, additional changes in and different interpretations of laws and regulations. The Town reserves the right to seek additional information or revised proposals from respondents at any time prior to selection of developer through written notice to all respondents.

The developer agrees to purchase the property “AS IS” and agrees to be solely responsible for obtaining any and all permits, approvals, waivers, releases or any other requirements to development the property as proposed in this RFP.

The developer shall not assign, transfer, sublet, convey or otherwise dispose of any contract which results from this RFP, or its right, title or interest therein or its power to execute the same to any other person, firm, partnership, company or corporation without the previous consent in writing of the Town. Said consent to be entirely at Town’s sole discretion. Should the developer attempt any of the above without written consent of the Town, the Town reserves the right to declare the developer in default and terminate the contract for cause. All contract amendments must be in writing and approved and signed by a Town of Westford authorized official.

The prospective developer must be current in taxes and all water and sewer liabilities on any and all real estate owned in the Town of Westford. Final architectural (façade/elevation) design and site plan to be reviewed and approved by the Town of Westford Building Inspector/Department prior to the start of construction.

Designated developer authorizes the Town to record the deed in the proper registry, at the developer’s expense, within fifteen days of the date of execution. While the Town of Westford fully expects that one of the proponents responding to this Request for Proposals will become the selected developer, the Town nevertheless reserves the right, at its sole discretion, to reject any or all proposals and to re-offer the property at any time under the same or modified conditions. The Town also reserves the right to reject any proposal if it finds cause to believe that it has received from a proponent any false or misleading information or misrepresentation in connection with a proposal.

The Town reserves the right not to select a proposal for any reason if it deems that doing so would be in the best interest of the Town. The Town reserves the right to select the proposal offering the greatest advantage to the Town, according to its interpretation of the evaluation criteria as set forth herein, as determined at its sole discretion, and may select a proponent other than the one offering the highest payment to the Town.

SUBMISSION REQUIREMENTS

Each proposal consisting of the **original and four (4) copies** must be contained in a marked sealed envelope labeled “Boston Road Affordable Housing Proposal—[name of proponent]”, comprising fully the following materials and addressing the following matters:

1. Cover Letter/Executive Summary:

A signed cover letter from the proponent, introducing the submittal and identifying the proponent's name, address, telephone number and those of all partners or consultants who have participated in the preparation of the proposal and in the proposed development, and containing a statement agreeing to all terms and conditions outlined in this Request for Proposals, together with a statement identifying terms and conditions about which the proponent may wish to negotiate changes or modifications.

2. Proponent's and Team's Qualifications:

Proponents shall provide sufficient information so that the Town may determine that they are qualified to design, permit, construct, and manage the proposed development. The bidder submitting the proposal, as a minimum, shall provide the following:

- a. The names, addresses, and telephone number of the company/organization submitting the proposal. If a joint venture, then all information requested shall apply to all parties of the joint venture.
- b. A brief history.
- c. A listing of all board members and principals.
- d. Any other relevant information considered useful in the evaluation of the proponent's ability to complete the project if selected, including whether the proponent has had experience with development of affordable housing.
- e. A list of similar projects undertaken within the last 5 years, including their locations and a contact person and telephone number for each. Project plans and/or photographs would be helpful. Projects should relate to the "specific role" that the proponent intends to implement on this project and define their level of involvement. A list of projects similar to this project that are currently still under development by the Proponent or any member of the project team will be supplied.
- f. Sufficient financial information shall be provided so that the Town will be able to assess the proponent's availability and commitment of financial or in-kind resources to undertake the proposal.

3. Project Description:

The proposal will contain a full description of the proposed development and management concept, including:

- a. Description of affordable housing in alignment with the surrounding neighborhood;
- b. Nature of the development concept, including style and height of the building(s), total aggregate developed square footage, total square footage, footprint and floor plate size, parking supply and arrangement;
- c. Schematic building or typical building elevation, or pictures of buildings previously constructed by the proponent, which illustrate the type of building proposed for this site;
- d. Demonstration of an understanding of the processes to obtain all local and state permits, including zoning and environmental;
- e. Pro-Forma Analysis: The proposal will contain a cost estimate of all relevant land, site preparation, construction, financing, and other development costs necessary to complete the proposed development
- f. Description of how the proposed development will be sensitive to the surrounding environment and what features will be incorporated to enhance environmental benefits;
- g. Project schedule indicating the developer's anticipated timeline for design, permitting, construction, and operation;
- h. Project costs: the proponent shall provide an approximate construction costs for the project, which shall be broken into a minimum of the following categories:
 - ◆ Planning and design,

- ◆ Site preparation,
- ◆ Environmental features,
- ◆ Buildings
- ◆ Parking, landscaping, lighting,
 - ◆ Other project items;
- i. Total Project Cost
- j. Any other narrative, statistical, or graphic information which will reasonably serve to elucidate the proposal or to illustrate the qualifications of the bidder.

4. Proposed Acquisition Terms:

The proposal will contain a full description of the financial and other terms under which the proponent proposes to acquire the site. This will include an explanation as to how these terms were formulated, and under what schedule and other considerations these terms are proposed. If the proposed terms are contingent in any way on the obtaining of State or Federal grant funds for any aspect of the proposed project, the proposal will so state, together with a justification of the need for and use of such grant funds, and with an explanation of what the implications would be if such grant funds are not forthcoming.

5. Completed Attachments

The proposal must include fully completed documents listed in this RFP under the heading titled, “Attachments” where applicable.

6. Other Conditions:

Any identified exceptions to the requirements contained in this Request for Proposals shall be addressed in the proposal. The Town will assume that any provision of this Request not so identified will be acceptable to the proponent.

EVALUATION CRITERIA

Minimum Criteria:

In order for a proposal to be considered complete and responsive, the proposal must include the following information. Proposals not including this information, or failing to meet criteria in this section, shall be deemed non-responsive and dropped from further review.

1. Bid addresses all requirements contained under the sections, “General Submittal Conditions” and “SUBMISSION REQUIREMENTS”;
2. Bid includes fully executed original copies of all required Certification Statements, as included in the Attachments section of the RFP;
3. Demonstration that bidder has the financial capacity to complete the project as proposed; and
4. Availability to commence the proposed construction work within six (6) months of obtaining title to the property.
5. Acknowledgement of all addenda.

Price Criteria

Terms of Purchase: The proposed sale price for the property shall be evaluated in accordance with the public purpose of this RFP for affordable housing and the responsiveness of proposals to the comparative criteria.

Comparative Criteria:

Any proposal that is not complete and responsive to this Request for Proposals will not be considered, whether in regard to format or content. The Town will evaluate all complete and responsive proposals with respect to the following general and particular criteria. For each criterion category a rating will be assigned, consisting of:

H—Highly advantageous: the proposal demonstrates superior capabilities in all respects;

A—Advantageous: the proposal demonstrated average capabilities overall, some aspects better than average, some aspects worse than average;

NA—Not advantageous: the proposal does not satisfy all Town requirements, or does not demonstrate an adequate understanding of or method of addressing the site, site issues, or industry or market standards;

U—Unacceptable: the proposal is incomplete or otherwise fails to demonstrate that the proposed development can be accomplished.

The Town will evaluate the proposals received and make its selection on the basis of its judgment as to which proposal (if any) comprises the best and most appropriate balance or combination of the proponent's ability to satisfy the following. Each proposal shall address these criteria specifically:

1. Community Vision for Affordable Housing

- ◆ Maximize the number of affordable units, ranging from 50% of the development to 100%.
- ◆ Produce a unit(s) that will remain affordable in perpetuity, including condo fees.
- ◆ Produce the most aesthetically and functionally appropriate design.
- ◆ Produce a unit that maximizes affordability.
- ◆ Develop the property in a manner that is environmentally sound and in keeping with the quality of the neighboring area.
- ◆ Extent to which the project meets or exceeds the above in comparison to the goals set out in the Town's Concept Plan for this site.

2. Construction Practices

- ◆ Maintain an acceptable construction process, meeting deadlines
- ◆ Use of appropriate materials.
- ◆ Understanding of the project and of the relevant issues, concerns, and opportunities in connection with this site
- ◆ Sensitivity to and awareness of the unique or special attributes and character of this site;
- ◆ Ability to work cooperatively with the Town and its agencies;
- ◆ Proposed roles and involvement of each team member and the relevance of the proponent's and each team member's experience in similar projects, the success and appropriateness of those projects
- ◆ Proposed Team organization and management, and the extent of previous professional relationships among the Proponent and Team Members;
- ◆ Professional, organizational, and financial ability of the Proponent and the Team to carry out the project to a complete and successful conclusion within the timeframes proposed.

3. **Administration of Housing Units**

- ◆ Ability of proponent to work with Westford Housing Authority, in identifying and process prospective owners according to the following criteria:
 - Income must be documented by federal tax returns.
 - Sale of unit to first time homebuyers below 80% median family income.
 - The selection will consider both the income of the applicant(s) as well as the total income of all people who will live in the house.
 - Any misrepresentation on the part of the applicant(s) could result in disqualification and removal from consideration at any time prior to closing.
 - Familial status, handicap, or sexual orientation will NOT be considered in the selection process.
- ◆ Understanding of issues relative to compliance with local and state requirements;

4. **Consistent with Town of Westford Concept Plan for Parcel**

- Proposal meets the terms of the Concept Plan.
- Number of proposed housing units meets minimums, and/or does not exceed that which is set out in Concept Plan.
- Site Design, including public access, internal traffic circulation, open space, wetland /resource area buffers, etc. are consistent with the Concept Plan.

5. **Construction and Development Experience:**

- a. Technical assessment of the proposed construction site.
- b. Experience with development of affordable housing sites or units.
- c. Assessment of regulatory permitting and understanding of processes to obtain local and state permits.
- d. Awareness of abutting uses, including any issues regarding water or drainage, and the method of construction as it relates to any such issues.
- e. Development and construction methods meeting industry standards.

6. **Qualifications:**

The proponent must provide detailed information regarding the major elements on the project team to demonstrate the overall qualifications to design and construct the proposed facilities; the extent to which the team has worked together will be considered, as will the following criteria:

- a. The proponent's financial or organizational capacity to successfully carry out the development of the site.
- b. The proponent's ability to secure financing, including a review of other real estate owned and any bankruptcy within the past ten (10) years by any member of the development team. The ability to secure financing as may be evidenced by letter(s) from prospective lenders.
- c. The proponent's ability to deliver the proposed development within the timeframes indicated.
- d. The extent to which the proponent and the project team have successfully developed similar projects.
- e. The extent to which proponent's team has demonstrated an ability to work together effectively and efficiently.
- f. The proponent's ability to work with municipal and state officials.

- g. The proponent's ability to comply with and utilize applicable Federal, State, and Local laws, regulations, rules, and requirements.

7. Wetlands and Environmental Concerns

- a. Experience working in the context of wetland resource areas with minimal disturbance or wetlands.
- b. Proponent has restored wetland and buffer zone areas, in the event of causing a disturbance in said areas.
- c. Construction methods sensitive to surrounding environmental conditions
- d. Construction experience within an area containing overhead high tension power lines

8. Suitability of the Proposal to the Town's Goals and Needs:

The proponent must identify an understanding of the Town's goals and needs relative to this project, and provide information and analysis to indicate how the proposal addresses and satisfies these goals and needs:

- a. The extent to which the proposed development would maintain its affordability on a continuing basis.
- b. The extent to which the proponent proposes to rely on privately available resources to finance, build, maintain, and manage the proposed project.
- c. The project team's ability to work cooperatively with the Town of Westford and its officers and officials.
- d. The proponent's ability to understand and address issues of concern to the public and to abutters of the site.
- e. Ratio of affordable housing on site. Number of affordable housing units.
- f. Consistency with Affordable Housing Production Plan, MGL c. 40B design guidelines.
- g. Incorporation of open-space, play and recreation areas.
- h. Recognition of utility easements on-site, and ability to provide access for utility purposes.

SELECTION PROCEDURE

Rule of Award: The most advantageous proposal from a responsive and responsible bidder, taking into consideration all evaluation criteria set forth in the RFP, will be selected.

The Affordable Housing Committee and Town Manager/Chief Procurement Officer Jodi Ross will review the proposals in accordance with the criteria noted herein. Proposals received in a timely manner will first be evaluated for completeness. The AHC will initially evaluate the proposals on the basis of the evaluation criteria described above in the manner generally described in Massachusetts General Laws, Chapter 30B. To be deemed complete and responsive, a proposal must not receive a rating of unacceptable (U) in any of the evaluation criteria. Any proposal receiving an unacceptable rating will be rejected. The AHC may contact references for identified developments, visit the developments, interview or otherwise contact persons identified by proponents, or seek any information that may assist it in evaluating the written proposals. The AHC may also conduct interviews of any or all of the proponents. After a review of the proposals, a ranking will be assigned to each. As authorized by the Board of Selectmen, the AHC and the Town Manager will make the final designation of the winning proposal. Disposition of the parcel is subject to the approval of the Board of Selectmen.

The highest ranked developer will be sent a notice indicating its tentative selection as developer, a negotiation schedule and a procedure whereby the developer and the Town shall conduct negotiations. Within thirty days following this notice, the selected developer will present a draft Purchase and Sale Agreement, together with any other appropriate legal documents for effectuating the transaction, for review by the Town. It is anticipated that a final Purchase and Sale Agreement will be executed within ninety days following the initial notice. The time frames in this paragraph may be extended by mutual consent of both parties.

If within ninety days of the initial notice, the Town determines that satisfactory contract terms and conditions cannot be reached with that developer, the Town may terminate negotiations with that developer and commences negotiations with the then second-ranked developer, and it may continue this procedure through all lower-ranked developers, as necessary.

The selected developer may be required to post a Performance Guarantee acceptable to the Town to guarantee completion of the development in accordance with the Purchase and Sale Agreement and all relevant laws and regulations.

At every point in the selection procedure, the Town reserves the right to waive minor informalities or to allow a proponent to correct them. The Town also reserves the right to reject any or all bids at any time as may be in the best interest of the Town.

Town of Westford

REQUEST FOR PROPOSALS

FOR PURCHASE OF BOSTON ROAD PROPERTY

ATTACHMENTS

- A. Assessors Map Showing BOSTON ROAD Property.
- B. Outline of Deed Restrictions
- C. Bid Offer Form
- D. Disclosure of Beneficial Interest Statement Form
- E. Certificate of Tax Compliance
- F. Certificate of Non-Collusion
- G. Equal Opportunity Employer
- H. Plan of Land (Boston Road – January 17, 2007)

ATTACHMENT "A"

ASSESSORS MAP

AERIAL PHOTOGRAPH



Town of Westford, MA

Boston Road Parcel

www.westfordma.gov/gis for more info

Overview Map



Disclaimer

Town of Westford, MA makes no warranty or representation as to the accuracy, timeliness or completeness of any of the data. The Town of Westford, MA, shall have no liability for the data or lack thereof, or any decision made or action taken or not



495 ACCESS RAMP
BOSTON ROAD



October 28, 2008

0 100 Feet

ATTACHMENT “B”

DEED RESTRICTIONS

Recognizing the significant investment that the Town is making in providing this property and the need for affordable housing in Town, the Town adopted the following restrictions that will be placed upon the property, for the benefit of the Town, and enforceable by the Town through its Board of Selectmen or authorized representative:

1. Maintain the affordability of the units in perpetuity;
2. Ensure the unit qualifies for the Town’s Affordable Housing Inventory as compiled by the Commonwealth;
3. Restrict the re-sale of the property to low-to moderate-income first time homebuyers; and
4. The Westford Housing Authority will be responsible for marketing and homebuyer selection in compliance with regulations.
5. Ownership of the property shall revert back to the Town, in the event that affordable housing units, or the general development of the site, are not constructed in accordance with the final agreement executed with the Town of Westford pursuant to this RFP.
6. Title shall be subject to any and all existing utility easements governing the parcel.

ATTACHMENT "C"

BID FORM – BOSTON ROAD / AFFORDABLE HOUSING

TOWN OF WESTFORD

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 “D”

DISCLOSURE STATEMENT FOR DISPOSITION OF REAL PROPERTY

For disposition of Real Property by the Town of Westford, 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) LEGAL DESCRIPTION OF REAL PROPERTY: Westford, MA

The proposed lot for acquisition is located south of Westford Center adjacent to the intersection of Boston Road and Blake’s Hill Road, is comprised of 17.74 acres of residential agricultural zoned (RA) land. The parcel is bounded to the north by Blake’s Hill Road, to the east by Boston Road, to the west by land owned by New England Power Company and National Grid, and to the south by Interstate 495. The property, available for disposition through this RFP, is Parcel 3.3, Tax Map 22, with a Registry of Deeds reference of Book 7366 – Page 211.

(2) TYPE OF TRANSACTION: Sale of Property

(3) SELLER or LESSOR: Town of Westford, Westford, Massachusetts

(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.

Name & Position Title:

(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"
Massachusetts Tax Compliance Statement

TO: TOWN OF WESTFORD
Town Hall
55 Main Street
Westford, MA 01886

FROM: _____ Fed ID# _____

I certify under the penalty of perjury that the above named organization of person, to the best of my knowledge, has filed all State tax returns and paid all State taxes required under law.

SIGNED THIS DATE: _____ BY _____

Name: _____

Title: _____

*Note: Your Federal Identification number will be furnished to the Commonwealth of Massachusetts - Department of Revenue to determine whether all tax filing and tax payment obligations have been met. Under Mass. G.L.C. 62C s., 49A, providers of goods or services who fail to correct a tax filing or tax payment delinquency will not have a Contract or other agreements issued, renewed or extended.

ATTACHMENT "F"

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)

**ATTACHMENT “G”
EQUAL OPPORTUNITY EMPLOYER CERTIFICATION**

TO: TOWN OF WESTFORD
TOWN HALL
55 MAIN STREET
WESTFORD, MASSACHUSETTS 01886

FROM: _____

We certify under the penalties of perjury that the above named organization or person and will continue to operate in strict compliance with the following Equal Opportunity Employer Regulations:

No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination from receiving Federal financial assistance. The Contractor shall comply with the provisions of the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.). The Age Discrimination in Employment Act prohibits arbitrary age discrimination in employment.

The Contractor shall adhere to the requirements set forth in Title VI of the Civil Rights Act of 1964 (Public Law 88-352), and the regulations issued pursuant thereto by HUD (24 CFR Part 1); Title VIII of the Civil Rights Act of 1968 (Public Law 90-284), as amended; Section 109 f the Housing and Community Development Act of 1974, and the HUD regulations issued pursuant thereto (24 CFR 570.601); Federal Executive Order 11063, as amended by Executive Order 12259 and the HUD regulations issued pursuant thereto (24 CFR 107); Executive Order 11246 and the rules, regulations and relevant orders of the U.S. Secretary of Labor, if applicable; The Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.); Section 402 of the Veterans of the Vietnam Era Act (for projects of \$10,000 or more). Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794); Massachusetts General Laws Chapter 151B, section 1 et seq.; State Executive Order 74 as amended and revised by Executive Orders 116, 143 and 227, and EOCD regulations, procedures or guidelines; Title II of the Uniform Relocation Assistance and Real Property, Acquisition Policies Act of 1979; and EOCD guidelines, procedures. or regulations.

The Contractor shall not discriminate against any employee or applicant for employment because of race, color religion, sex, age, handicap, or national origin. The Contractor shall take affirmative action to ensure that applicants for employment are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, age, handicap, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor shall post in conspicuous places, available to employees and applicants for employment, notices setting forth the provision of this non-discrimination clause. The Contractor shall state in all solicitations or advertisements for employees placed by or on behalf of the Contractor, that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, age, handicap, or national origin. The

Contractor shall incorporate the foregoing requirements of this paragraph in all contracts for work to be performed in accordance with this Contract and will require all of its subcontractors to incorporate such requirements in all subcontract for program work.

Signed this date: _____ By: _____

Name: _____

Title: _____

ATTACHMENT “H”

**CONCEPT SITE PLAN
CONCEPT RENDERING**

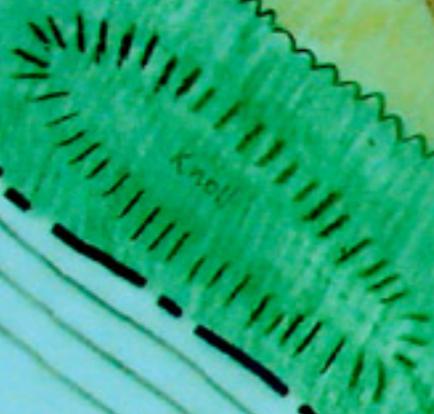


BOSTON ROAD

Dense Planted Buffer

Woodland Preserve

Reserve Area



Woodland Preserve

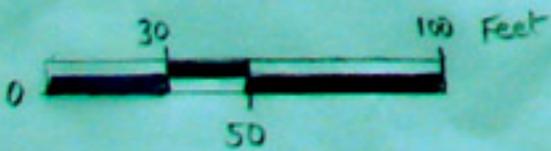
Common Drive

Woodland Preserve

Seasonal Pond

POWER LINES

ROME



Randall Arendt

1.XI.08