Town of Barnstable
Disposition of Real Property:

Old Train Station
Located in West Barnstable
Massachusetts

Request for Proposals

August 3, 2011

All potential bidders are required to be registered on the Town of Barnstable Bid & RFP System at www.town.barnstable.ma.us. This document and any addenda thereto are issued electronically only. It is the responsibility of every bidder who receives this bid document and all associated documents to check the Town of Barnstable Bid & RFP System for any addenda or modification to this solicitation, if they intend to respond. The Town of Barnstable accepts no liability to provide accommodation to bidders who submit a response based upon an out of date solicitation document. Bidders may not alter (manually or electronically) the bid language or any bid documents. Unauthorized modifications to the body of the bid, specifications, terms or conditions, or which change the intent of this bid are prohibited and may disqualify a response.
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SECTION I. INTRODUCTION AND BACKGROUND

The Chief Procurement Officer, under MGL chapter 30 B section 16, on behalf of the Town Manager of the Town of Barnstable is soliciting responses from interested parties for the disposition by lease, of Town owned building located at 2469 Meeting House Road in the village of West Barnstable, commonly known as the West Barnstable Train Station. Included in this will be a sub lease of the parcel underneath the station which is part of the Lombard trust. The Town currently leases the land from the trust.

Based on maps, descriptions and information presented in this Request for Proposals (RFP), the Town is considering offers to lease all of the approximate .48 acre property and the building. **Neither the parcel nor the building are being considered for outright sale.**

Any Proposal to be considered must meet the requirements of the RFP. A minimum price offering has not been set for the lease of the building and identified property in order to encourage people to offer a price appropriate to the value of the property for the use they have proposed.

This solicitation is being conducted in accordance with the provisions of Massachusetts General Law including Chapter 30B Sec. 16, and all other applicable state laws as most recently amended. All lease documents must be strictly awarded in accordance with the requirements of the Request for Proposal regarding Real Property Transactions. If it becomes necessary to revise any part of this RFP or otherwise provide additional information, an addendum will be issued to all prospective Proposers who received copies of the original request. Multiple submissions from a single entity may be considered so long as they are submitted as separate and clearly marked proposals.

To receive consideration, Proposals shall be submitted no later than the date and time indicated as the submission deadline. Proposals must be accompanied by a Proposal security deposit in the amount of **ONE PERCENT (1%) of the proposed price for the full term of the lease.**

The Town encourages people to submit creative and innovative responses to this request for Proposal. There is no single approach that is preferred by the Town making this process open to the creativity of those interested parties. The Town will select the Proposal that best fits the needs of the community taking into account the proposed use, its impact on the community and the proposed financial offering to the Town.

A. BACKGROUND

Map and Parcel
The Town of Barnstable operates off of a system that identifies property by its map and parcel number on property maps held at the Town Hall of Barnstable. The map and parcel number, which the Town of Barnstable uses for identification for the property involved in this Request for Proposals is number 043 on map number 155. A copy of the map and parcel is included in these documents.

Site
The Property site is located in the village of West Barnstable. Parcel maps and aerial flyovers showing the property are included in this packet for your convenience.

The Proposal should include the potential Lessee’s maintenance of the grounds as defined in the RFP.

**Building**

A set of simple floor plans Exhibit B has been provided.

**Nature of Use**

The station and accompanying land will be leased for entities engaged in Not for Profit Educational uses. Residential uses for the building will not be considered. **Any other use, that fits into the zoning requirements on the property may be considered, but the intent is to encourage the historical preservation of one of the last authentic trains stations on Cape Cod.**

**Neighborhood Impact**

It is the intent of the Town to impact the neighborhood as little as possible when considering uses for the land and building. Uses should have minimal impact upon the neighbors in the area.

**B. Terms/Lease document**

**Term**

This RFP offers a lease of up to 20 years for the property. The term must be clearly defined in the proposal. Any option years must be included in the 20 year period. Any options would be at the Town’s discretion. If an entity requires more than 20 years, they should make a request to the Town before proposals are due, to allow the Town, if justifiable, to changed the nature of the lease.

**The Lease Document**

The Town reserves the rights to negotiate the final terms and conditions of a Lease agreement with the awarded Proposer. The awarded Proposer will have his Proposal included in the Lease document binding the proposed uses to the final document. A sample lease document is included so that proposers will understand the format the Town is seeking to use.

**Payment in Lieu of Taxes (PILOT)**

Any not-for-profit entity that does not customarily pay property taxes must address the issue of the loss of tax revenue to the Town should the Proposal to lease the property to that entity be settled with such a Proposer. The Town reserves the right to negotiate the amount of the PILOT as part of the final contract negotiations.

**C. CONDITION OF BUILDING**

**Notice to Proposer of inclusion of building condition information**

The inclusion of any information is to assist the potential lessor to understand the condition of the building. It does not in any way, either directly or indirectly, indicate that the work is needed to be done or that the work needed is limited to the items listed below. The proper site permitting, building use,
zoning, historical permitting or licensing is the responsibility of the Proposer. Based on the proposed use for the building the amount of work that needs to be done may increase or decrease. This information is intended for informational purposes only and does not imply that the Town will, if requested, complete these repairs to make the building ready for a tenant.

**Historical information.**

The current structure is the second station to appear on this historically important commercial transportation site. The first station was built in 1854, when the Cape Cod railroad extended the tracks from Sandwich through Barnstable to Hyannis and Yarmouth. The first train passed by the station on May 19, 1854. The railroad service caused the decline in the use of packets and small vessels for transportation and commerce in Barnstable. The era of the railroad into Barnstable and Hyannis marked the period of time when the Village of Hyannis started to forge ahead of other Barnstable villages as a trading and business center. Passenger service was discontinued in 1959 over those rails. Since 1959 the building has served as a storehouse, but for the most part has been vacant.

William Walton took ownership of the building in 1983 and began to renovate the building. It was partly refurbished in 1983. It continues to be a landmark associated with the center of West Barnstable Village. It is believed to be one of the last remaining railroad depots on Cape Cod.

The Historical Commission is on record of calling it unconscionable to have the depot razed, moved or have its exterior profile changed. This request by the Historical Commission is made in the hopes that any business endeavor offered the opportunity to lease the train station will embrace and preserve the historical integrity of the building.

**Current Description**

The Style of building is described as Arts & Crafts/Spanish Mission. The single story building has a shallow pitched orange tiled hip roof with flared eaves and concrete walls and foundation.

Major alterations appear to have been made in the 1960’s and included the removal of freight office and passenger platforms, which appear in several pictures from the 1920’s.

There is no heating plant inside the building. Historically, the only places heated were the station masters office and the room where the ticket booth is located. In the common area outside the ticket booth it would appear that some sort of heating device had been installed but was removed. It cannot be determined if there is insulation in the walls, and it is highly likely that due to the construction of the building, it may be difficult to insulate the building by traditional methods.

There is a gas line to the building. There is a relatively new breaker box in the west room, and inspection would seem to indicate updated wall outlets.

**Existing Conditions**

The building and property are being leased “as-is” with no warranty as to condition.

**Air-conditioning** – There is no central air-conditioning system in the structure at this time.

**Plumbing** – The current bathrooms are very small and most certainly do not meet public use codes.
Depending on the proposed use, this aspect of the building will need to be specifically addressed in proposals submitted.

**Septic System** – The most recent information regarding the existing septic system is attached in a 1996 report from the Department of Environmental Protection that offers documentation of the existing system. It passes inspection currently, but proposed use changes may impact the existing system and require replacement. The tenant should plan, as part of any building renovations to establish the proposed use at the site, to incur costs associated with upgrades to the septic system as part of their costs.

**SECTION II.  KEY DATES FOR THIS PROPOSAL**

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<td>8/7/2011 First legal ad published in Cape Cod Times</td>
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<td>8/10/2011 Legal ad published in the Central Register</td>
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<td>8/16/2011 Site visit at property (weather dependent) 9:00 am to 11:00 am</td>
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<td>8/19/2011 Last day to submit written requests or questions for clarification</td>
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<tr>
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<td>9/9/2011 Public Proposal Opening at 3:30 pm in the Selectman’s Conference Room, Barnstable Town Hall</td>
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<td>Wk of 9/12 (est) Evaluation Meeting by Committee</td>
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<td>10/1/2011 First day of lease at property</td>
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- The Town reserves the right to extend any of these dates if the number of Proposals or the complexity of the Proposals requires additional time to adequately review Proposals and bring the recommendation for award through the proper channels.

**SECTION III.  PROPOSAL INSTRUCTIONS**

A. INSTRUCTIONS TO PROPOSERS
1. Attention of all Proposers is directed to Chapter 30B of the General Laws of the Commonwealth of Massachusetts and to all other applicable sections of the General Laws as most recently amended which governs the award of this lease.

2. The Town of Barnstable may cancel this RFP, in whole or in part, or may reject all Proposals submitted in response, whenever such action is determined to be fiscally advantageous to the Town or if it is otherwise in the best interest of the Town.

3. The Town of Barnstable may request that supplementary information be furnished to assure the Town that a Proposer has the technical competence, the business and technical organization, and the financial resources adequate to successfully execute a contract for lease.

4. No forms are provided by the awarding authority except the Certificate of Non Collusion - Appendix A, the State Taxes Certification Clause - Appendix B, the Lease Proposal submission sheet - Appendix C, the legal ad - Appendix D, and the Disclosure of Beneficial Interest Form, - Appendix E. All Proposals shall be in ink or typewritten and must be completed according to the instructions contained herein.

5. Questions or clarifications rising from these documents shall be submitted to the Town in writing. They should be sent to the individual named in section III, D. They must be submitted in accordance with section II “Key Dates for This Proposal”.

6. Each Proposer shall acknowledge receipt of any and all addendum issued to the Request for Proposal by so indicating in the Cover Letter/General Response. Failure to do so shall be cause to reject the Proposal as being non-responsive.

7. Final negotiations will commence within ninety (90) days after the actual Proposal opening date, with the responsive, responsible Proposer complying with the conditions and requirements set forth in the Proposal document and further provided that the Proposal, in the opinion of the awarding authority, is reasonable and is in the best interest of the Town of Barnstable to accept it. The Town reserves the right to reject any and all Proposals if it is in the interest of the Town to do so.

8. The Proposer shall sign the Proposal correctly in ink or in the case of an organization, firm; partnership or corporation, a person having the legal authority from said organization to sign the Proposal will sign the document. Documentation of such authority is required in the submission of the Proposal.

9. All Proposals shall be submitted to the Chief Procurement Officer, Town of Barnstable, Procurement and Risk Management Office, 3rd floor, 230 South Street, Hyannis, MA 02601, on or before the dated and time stated in the “Legal Advertisement” – Appendix D.

10. Proposers may correct, modify or withdraw the original Proposals on or before the date and time as stated in the “Legal Advertisement”- Appendix D. Corrections or modifications shall be in sealed envelopes, clearly marked to indicate the contents, with the name and address of the Proposer. Any late correction or modification to the Proposal will not be accepted. A Proposer who wishes to withdraw a Proposal must make a request in writing.

11. Each Proposer shall be presumed to have read and be thoroughly familiar with these documents. Unfamiliarity with these documents shall in no way relieve any Proposer from any obligation in respect to his/her Proposal.

12. It is understood that the lessee’s Proposal to the Town of Barnstable to lease said Property will remain valid for 90 days past the submission deadline.
13. The Proposer’s attention is directed to the fact that all applicable state laws, municipal ordinances, and the rules and regulations of all authorities having jurisdiction over municipal finance shall apply to the lease throughout, and they shall be deemed to be included in the lease the same as though herein written out in full.

14. It is understood that the Proposer has submitted the Proposal in good faith and has not colluded with any other individuals, firms, or corporations in creating the Proposal to subvert the market process. See Certificate of Non-Collusion - Appendix A.

15. All costs involved in preparing the Proposal will be borne by the Proposer; the Town will not be liable for any costs associated with the creation of the Proposal. The Proposer shall be familiar with all state, local and other laws relating to this type of work and shall obtain all permits, if required and shall pay all expenses for same.

16. All responses are to include a statement that the Proposal is in accordance with this Request for Proposal and that the Proposer has read and understands all sections and provisions herein. Exceptions, if any, are to be clearly stated.

17. Proposals, which are incomplete, conditional or obscure, may be rejected. No award will be made to any Proposer who cannot satisfy the awarding authority that he/she has sufficient ability and sufficient capital to enable him/her to meet the requirements of these specifications. The awarding authority’s decision or judgment on these matters shall be final, conclusive and binding.

18. Any Proposal received after the date and time stated in the “Legal Advertisement” – Appendix D, will be deemed “non-responsive” and shall not be opened. Unopened Proposals will be returned to the Proposer.

19. The evaluation of the Proposals will be conducted by a team/committee appointed by the Chief Procurement Officer at the direction of the Town Manager. The judgment of the evaluators will be based upon the evaluation criteria set forth in this RFP and shall be final.

20. The Proposals will be opened on the date and at the time stated in the “Legal Advertisement” – Appendix D. The name of the person or organization submitting a Proposal will be read and recorded. The contents of all Proposals are Public. However the Town reserves the ability to restrict access to the Proposals until after the Evaluation Committee has received its copies and can conduct its review. A register of Proposals will be completed indicating the name of the Proposer and the nature of the Proposal. This register may be viewed upon request. The names of the witnesses will also be recorded.

21. Any lease resulting from this RFP shall be awarded to the Proposer whose Proposal is deemed to be the most Highly Advantageous to the Town of Barnstable. The Evaluation Committee alone will be the sole judge in determining whether a lessee’s Proposal satisfies the requirements of this RFP and whether or not the Proposal will prove advantageous to the Town.

22. Response to this Request for Proposal acknowledges the Proposer's acceptance of all sections and requirements of this document. The Request for Proposal will be written into the successful lessee's Proposal as part of the lease. If the lessee’s Proposal does not comply with the requirements of this request for Proposal, or if an item is not understood in anyway, a copy of that section of the Request for Proposal must then be included in the Proposal and all its copies clearly stating the deviation, additions, or other comments.

B. PROPOSAL SECURITY
A. Proposal Security in the amount of ONE PERCENT (1%) of the proposed lease amount for the entire term of the lease shall accompany each Proposal, or $100 whichever is greater. At the option of the Proposer, the security may be a bid bond issued by a surety authorized to do business in the Commonwealth, certified check, or treasurer's or cashier's check issued by a responsible bank or trust company, payable to the Town of Barnstable. Personal checks will not be accepted.

B. Should any bidder to whom an award is made fail to commence negotiations of a lease within ninety (90) days, after notice of award has been mailed to him, the amount so received from such Proposer through their bond, certified check, treasurer's or cashier's check as Proposal deposit shall become the property of the Town of Barnstable, as liquidated damages; provided that the amount of the Proposal deposit which becomes the property of the Town of Barnstable shall not, in any event, exceed the difference between their proposed price and the proposed price of the next highest responsible and eligible Proposer; and that provided further that in the case of death, disability, bona fide clerical or mechanical error of a substantial nature, or other unforeseen circumstances affecting the Proposer, their deposit shall be returned to them.

C. Proposal deposits of the three lowest responsible and eligible Proposers (if the Town receives more than three) will be held by the Awarding Authority during the time stipulated for the execution of the contracts and the submission of any additional information, and may be disposed of in such a manner as will accomplish the purpose for which they are submitted. After expiration of such period, Proposal guarantees not disposed, or the amounts thereof, will be returned within five (5) days, Saturdays, Sundays and legal holidays excluded.

C. SITE VISITS

There will be a formal Pre Proposal Conference and site visit on 8/16/2011. However, the Town will strive to accommodate people who wish to tour the inside of the building with professional contractors or staff. Appointments can be made and directions to the property can be obtained by calling the Procurement and Risk Management Office, 508-862-4652 between the hours of 8:30 to 4:30 Monday through Friday.

D. QUESTIONS AND CLARIFICATIONS

Questions requesting additional time for respondents to prepare a response, or requiring clarification of the RFP documents shall be submitted in writing or faxed to the Chief procurement Officer prior to date indicated in section II in order to afford the Town adequate time to respond with a correction or additional information prior to the deadline for submission of Proposals. Should it be found necessary, a written addendum that answers those clarifications or extends the deadline will be incorporated into the Request for Proposal. Those who have received a copy of the RFP will be notified of such changes.

E. INTERVIEWS

Interviews of Proposers identified by the Evaluation Committee as being advantageous to the Town may occur during the evaluation period. These interviews will be called by the Committee, at their discretion. These interviews would occur at Barnstable Town Hall (or alternate location as needed) and the format of these interviews would be provided to any Proposer invited to an interview.
F. NOTIFICATION OF AWARD

All Proposers will be notified of the selection decision within 90 days of the date Proposals are due to the Town unless otherwise notified by the Town. The Town of Barnstable reserves the right to extend this date if circumstances require the extension, but will be done only after notifying the Proposers.

G. LEASE

If a lease document cannot be negotiated to mutual satisfaction of both parties in a reasonable amount of time, the Town may decide to begin negotiations with the next ranked Proposal and so on through all of the Proposals deemed to be to the Town’s satisfaction. The Town may cancel the process at any time if it deems it to no longer be advantageous to the Town or not in the best interest of the community.

A sample lease is available to any Proposer to provide them with an idea of the lease document that will be negotiated should the Proposer be chosen first in this competitive process.

SECTION IV. PROPOSAL SUBMISSION REQUIREMENTS

A. MINIMUM REQUIREMENTS

The Evaluation Committee shall reject proposed properties which do not meet the following certain minimum requirements:

1. The Proposal must be from an established business, corporation, partnership, firm or individual.
2. Evidence of Not for Profit status must be included with the Proposal.
3. All Proposals shall be submitted to the Procurement and Risk Management Office, as stated in “Legal Advertisement”- Appendix D. Each Proposal shall be in SEALED envelopes, clearly marked on the outside of the envelope to indicate the contents, and the name and address of the Proposer.
4. The Proposal must be received in the Procurement and Risk Management Office before the deadline for receipt of Proposals, and must be complete (must include or address all items specified in Section VI -- Proposal Submission Requirements).
5. The Proposer must have signed both the Certificate of Non Collusion (Appendix A) and the State Taxes Certification Clause (Appendix B) and include them in the Proposal package. The Proposer must also sign the Disclosure of Beneficial Interests in Real Property Transaction form (Appendix E) included with this packet. This form is required by State Law.
6. The Proposal must be signed by an agent of the company, or an individual who has authority to offer the Proposal at the price(s) stated. The Proposal must also include an authority statement or vote of the board of trustees granting the individual who signs the appropriate authority.
7. All responses are to include a statement that the Proposal is in accordance with this Request for Proposal and that the Proposer has read and understands all sections and provisions herein. Exceptions, if any, are to be clearly stated.
8. The Proposal security, in the approved form, has been received with the Proposal packet.
9. The Proposal must include at least three references, complete with phone numbers and addresses, from people or businesses that can lend credibility and substance to your
Proposal. One reference should be financial in nature (a bank or other lending institution) while the other two can be examples of other projects (provided a contact name and number is provided) or from other civic or business organizations who can speak to the nature of the Proposal or the Proposer.

Additional Requirements

In addition to the elements above, as a minimum requirement, the Proposals must include the following information and attachments, clearly identified and indexed. Proposers are advised to describe how each submission addresses the Comparative Evaluation Criteria found in these documents.

a. **Lease Price.** The proposed lease price must be identified. A Minimum price offering of has not been set for the building and identified property in order to encourage people to offer a price appropriate to the value of the property for the use they have proposed.

b. **Description of Use.** Proposals must include a description of the use, and how the proposed use(s) will complement and enhance the community.

c. **Parking and Traffic Data.** The Proposal should also include information on how the proposed use will impact traffic in and out of the site.

d. **Proposer’s Credentials.** Credentials of the Proposer including identification and description of prior experience in historic preservation (if applicable) are required.

e. **Site Plan.** Basic site plan that depicts the proposed parking layout, access and landscaping, lighting and similar site features in sufficient detail to communicate the intent of the use.

f. **Building Plan.** Basic building plan depicting proposed use and/or any proposed construction. The Proposal must provide features in sufficient detail to communicate intent. Please note that acceptance of the Proposal by the Town does not relieve the Proposer of any permits or limitations/requirements set by the Old Kings Highway Commission, Mass Historic Commission, Boards of Health or Building and any other applicable permitting entities in the commonwealth.

g. **Financial Resources.** Evidence must be provided that the Proposer has adequate financial resources to complete the project, sufficient staff resources and prior experience in undertaking projects of comparable size and character. In the event of limited direct experience, the Proposer may substitute relevant experience and must provide adequate justification for consideration.

h. **Financial Package.** A business pro-forma illustrating anticipated operating expenses and projected revenues for the terms of the lease as proposed, as well as any capital expenditures that they may need to make to the buildings (If applicable).

i. **Marketing Information. (if applicable)** prospective bidders are encouraged to submit a marketing plan and/or market analysis of the proposed use(s) to facilitate a more thorough review of the Proposal.

j. **Schedule for Project Implementation.** A Proposal for completion of planned work and renovations must be submitted, and must include the schedule for completion of project milestones such as, but not limited to, execution of the lease; completion of any site and building redevelopment plans; submission of those plans and associated application forms to the appropriate local and state permitting agencies as necessary. Also include anticipated date for receipt of any required building permit; possible start of any required construction; and completion of said construction. Note that the lease documents will incorporate the Schedule for Project Implementation and the entire Proposal submitted in response to this Request for Proposals.
k. **Impact to neighborhood.** The Proposer should illustrate and comment upon the visual impact to neighborhood.

L. **Lombard Trust.** Even though the tenant will be directly leasing from the Town of Barnstable, the Proposer must address the anticipated relationship with the Lombard trust as there are several parcels of trust land in and around the general area of the train station. The Proposers anticipated activities at the site should have no impact on the adjoining property.

M. **Length of Lease.** The Proposer may choose to submit a lease of the building and the property for any term up to twenty years of length.

**B. FACILITY MAINTENANCE**

A critical component of the lease negotiations will focus on the role of the Town as Landlord and any ongoing care or maintenance expected by the tenant. It is the Town’s desire to lease the property to an entity that strives to enhance the overall appearance of the community by maintaining the building and grounds, understanding that the Town has limited funds to contribute to the endeavor.

**C. ADDITIONAL NARRATIVE INFORMATION**

1. Summarize what you believe your Proposal offers that is unique from other potential uses of the property in question.
2. Provide at least three (3) valid and current references with contact phone numbers from people or businesses that can lend credibility and substance to your Proposal. The Town reserves the right to request additional references from any Proposer if necessary and is not limited in its desire to determine that Proposers are in good standing.

**SECTION V. PROPOSAL EVALUATION**

**A. EVALUATION PROCESS**

The evaluation process will include each Proposal being reviewed by an Evaluation Committee appointed by the Chief Procurement Officer at the direction of the Town Manager. Those Proposals that meet all of the minimum requirements as outlined in this RFP, and are determined to be both responsive (those that offer all of the basic requirements requested in the RFP and contain all of the required information and forms properly completed) and those that are responsible (those with the capability, integrity, and reliability to enter into a lease or sale of property relationship with the Town of Barnstable) will be further reviewed using the comparative criteria outlined in this section.

The Evaluation Committee will use the comparative criterion for each separate rating area, and based upon these criteria, will assign an overall rating to each Proposal as permitted under Chapter 30B. Each of the 8 criterions may contain ratings of

- Unacceptable
- Not Advantageous
- Acceptable
Advantageous
Highly Advantageous

An “Unacceptable” rating in any one of the criterions will eliminate the Proposal from further consideration.

Minimum Evaluation Criteria -- Failure to meet the following Minimum Evaluation Criteria will result in immediate rejection of the Proposal.

1. Minimum Requirements: Proposers must meet the minimum requirements as specified in Section IV.

Comparative Evaluation Criteria

2. Applicable Experience of Proposer

Unacceptable – Is an individual, business or firm who does not demonstrate adequately that they have the experience or acumen to enter into a lease agreement with the Town of Barnstable.

Advantageous – Is an individual, business or firm who adequately demonstrates that they have the experience or acumen to enter into a lease agreement with the Town of Barnstable.

Highly Advantageous – An individual, business or firm who clearly demonstrates that they have the superior experience and business sense to enter into a lease agreement with the Town of Barnstable.

3. Benefits to the Community

Unacceptable – No measurable benefit to the community
Acceptable - Minimal measurable benefit to the community including any changes to the site and/or building.
Advantageous – Substantial measurable benefit to the community including any changes to the site and/or building.

5. Proposed use of the building and/or land

Unacceptable – A use that negatively impacts the character, condition or culture of the village of West Barnstable.
Acceptable – The building is maintained as is.
Advantageous – The building is creatively reused or rehabilitated with the Town’s prior approval.

Highly Advantageous - The building is creatively reused or rehabilitated to support a use that demonstrates a clear understanding of the character and culture of the village of West Barnstable.

6. Additional Narrative Information (Section IV, C)

Unacceptable – Proposer fails to address most of the additional Narrative Information (Section IV, C) topics in their Proposal.
Acceptable – Proposer provides information related to Section IV, C, but it is disorganized, incomplete and poorly presented.

Advantageous – Proposer addresses all areas related to Section IV, C.

Highly Advantageous - Proposer provides complete and detailed responses to all information related to Section IV, C. It is well organized, complete and presented so as to provide confidence that the proposed use of the building is in the best interest of the Town.

6. **Proposed Traffic/Parking impact to area**

Unacceptable – No traffic/parking plan submitted.

Acceptable - Traffic plan which increases traffic in and out of the site.

Advantageous – A traffic plan that clearly demonstrates sensitivity to the area, and includes a plan for parking vehicles associated with the proposed use of the building.

7. **Schedule for project implementation**

Unacceptable – Failure to provide an implementation schedule for the building

Acceptable - Is a schedule that provides dates and an explanation but lacks sufficient detail to assure the Town that the schedule is realistic and attainable.

Advantageous - is a schedule that provides specific dates and hard milestones with sufficient detail to assure the Town that the schedule is realistic and attainable.

8. **General impression of Proposal:**

Unacceptable - The Proposal did not provide enough detail for the Evaluation Committee to determine if Proposer meets the Town’s requirements.

Acceptable – The proposer has a generally acceptable proposal, but certain elements of the proposal cause concern to the evaluator.

Advantageous - Response is informative, meets criteria for responsiveness. Reviewer feels Proposal reflects that provider is able to perform in a manner acceptable to the Town but was not overly impressed by Proposal’s expression of ability.

Highly Advantageous - Response is concise, informative, and highly detailed. Proposal demonstrates that provider is able to perform in a manner that is highly desirable to the Town. Evaluation Committee is completely convinced about the provider’s ability to provide services as required by the Town and will provide substantial public benefits.

B. **RULE FOR AWARD**

Any lease resulting from this RFP shall be awarded to the Proposer whose Proposal is deemed to be the most Highly Advantageous to the Town of Barnstable. The Proposal deemed most highly advantageous will result from the analysis of the technical components of the Proposals and the price offered. The Town alone will be the sole judge in determining whether a lessee’s Proposal satisfies the requirements of this RFP and whether or not the Proposal will prove advantageous to the Town.

**SECTION VI. PROPOSAL SUBMISSION REQUIREMENTS**

A. **SUBMISSION**
One sealed envelope containing an **unbound** original and eleven (11) **bound** copies of the Proposal marked “**West Barnstable Train Station -- Meeting House Road**” must be received per the time frame outlined in the legal advertisement- (appendix D). It is the sole responsibility of the offerer to insure that the Proposal arrives on time and at the designated place.

**The Proposals are due by 3:00 pm in the Procurement and Risk Management Office, but the opening will be at the Selectman’s Conference Room at Town Hall at 3:30 the same day.**

Within your Proposal, please supply each of the following items and clearly structure and label your Proposal:

1) Cover Letter including name of Agency, Firm or Individual, address and telephone number, signed in ink by someone authorized to sign such documents.

2) A simple summary of the proposed use/reuse of the site

3) A clear statement as to the amount and the terms offered to the Town for the lease of the property.

4) The proposal deposit.

**B. CONTACT INFORMATION**

Clarification and interpretations of this Request for Proposal must be requested in writing. Responses shall be likewise furnished. The last day to submit written requests is **8/19/2011**. After that day no requests or questions will be accepted. Please contact the Town of Barnstable for clarification of this Request for Proposal, direct all inquiries regarding the plan to:

David W. Anthony,
Chief Procurement Officer
230 South Street
Hyannis, MA 02601
Phone. (508) 862-4652
Fax: (508) 862-4717
Business Hours: 8:30 a.m. - 4:30 p.m. Monday through Friday
TOWN OF BARNSTABLE

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.

FIRM ___________________________     SIGNATURE _______________________

ADDRESS ________________________     NAME (print) ______________________

_________________________________     TITLE _________________________

TELEPHONE ________________________     DATE ________________________
TOWN OF BARNSTABLE

STATE TAXES CERTIFICATION CLAUSE

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes under law, I have addressed any tax liability and am in the process of setting up a plan to satisfy said liability.

________________________________________ by: __________________________________________
* Signature of individual or Corporate Officer
  Corporate Name (Mandatory) (Mandatory, if applicable)

**Social Security # or Federal Identification #

* Approval of a contract or other agreement will not be granted unless this certification clause is signed by the applicant.

** Your Social Security Number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Providers who fail to correct their non-filing or delinquency will not have a contract or other agreement issued, renewed, or extended. This request is made under the authority of Mass. G.L. 62C s. 49.A.
Appendix C

TOWN OF BARNSTABLE

Pricing Lease Worksheet

In meeting the requirements of the Request for Proposal documents as issued on _______________
________________________ __________ offers the following proposed pricing for the lease of
(Name of Company or Individual)

Property located at ______________________________________________________________.

Price ________________  Unit (Annual/Monthly etc) ________________

Term of proposal

________________________________________________________________________________

Total Value of Proposal  (Price x Unit x term = Total) ________________

Additional pages or an attachment showing a lease schedule must be added.

Every lease shall be subject to a CPI or other cost escalator, to be negotiated with Proposer.
Appendix D

LEGAL ADVERTISEMENT
TOWN OF BARNSTABLE
REQUEST FOR PROPOSALS
DISPOSITION OF PROPERTY VIA LEASE

The Chief Procurement Officer, under MGL chapter 30 B section 16, on behalf of the Town Manager of the Town of Barnstable is soliciting responses from interested parties for the disposition by lease, of Town owned building located at 2469 Meeting House Road in the village of West Barnstable, commonly known as the West Barnstable Train Station. Included in this will be a sub lease of the parcel underneath the station which is part of the Lombard trust. The Town currently leases the land from the trust.

Based on maps, descriptions and information presented in this Request for Proposals (RFP), the Town is considering offers to lease all of the approximate .48 acre property and the building. **Neither the parcel nor the building are being considered for out right sale.**

Any Proposal to be considered must meet the requirements of the RFP. A minimum price offering of has not been set for the lease of the building and identified property in order to encourage people to offer a price appropriate to the value of the property for the use they have proposed. There will be a site visit August 16, 2011 from 9:00 to 11:00 for this RFP. Additional access to the building may be granted by calling the Procurement and Risk Management Office.

Responses are due on 9/9/2011 at 3:00 p.m. in the Procurement and Risk Management Office, 230 South Street, 3rd Floor, Hyannis MA 02601. An award will be tentatively made within 90 days and lease negotiations may begin at that time with the top Proposer. Specifications and bid forms will be available on the Town of Barnstable website, Bid & RFP System at [www.town.barnstable.ma.us](http://www.town.barnstable.ma.us). Contact: Johanna Boucher, Purchasing Agent, 230 South Street, 3rd floor, Hyannis, MA 02601, telephone number (508) 862-4741, fax (508) 862-4717, beginning immediately, between the hours of 8:00 am and 4:00 pm, Monday through Friday, excluding holidays.

Responses will be opened and read at 3:30 pm on the due date of the Proposals 9/9/2011 by the Chief Procurement Officer. The opening of the responses is public; however, the determination of the best Proposer will not be made until all Proposals have been evaluated. All responses must be received in a sealed envelope properly marked prior to the deadline. No Proposals will be accepted at the opening, which is scheduled for 30 minutes after the deadline for submission.

The Chief Procurement Officer and the Town of Barnstable reserves the right to reject any or all Proposals when it deems it to be in the best interest of the Town
Disclosure of Beneficial Interests in Real Property Transaction

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 Massachusetts Divisions of capitol Planning and Operations, as required by M.G.L. c. 7, sec 40 J, prior to the conveyance of or execution of a lease for the real property described below. Attach additional sheets if necessary.

1. Public agency involved in this transaction:
   _____________________________________________________________
   (Name of jurisdiction)

2. Complete legal description of the property:

3. Type of transaction:  □ Sale  □ Lease or rental for ____________________ (term):

4. Seller(s) or Lessor(s):
   _____________________________________________________________
   Purchaser(s) or Lessee(s):
   _____________________________________________________________

5. Names and addresses of all persons who have or will have a direct or indirect beneficial interest in the real property described above. Note: If a corporation has or will have a direct or indirect beneficial interest in the real property, the names of all stockholders must also be listed except that, if the stock of the corporation is listed for sale to the general public, the name of any person holding less than ten percent of the outstanding voting shares need not to be disclosed.

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5. Continued

None of the persons listed in this section is an official elected to public Office in the Commonwealth of Massachusetts except as noted below:

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6. This section must be signed by the individual(s) or organization(s) entering into this real property transaction with the public agency named in items 1. If this form is signed on behalf of a corporation, it must be signed by a duly authorized Officer of that corporation.

The undersigned acknowledges that any changes or additions to item 4 of this form during the term of any lease or rental will require filing a new disclosure with the Division of Capital Planning and Operations within 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: ________________________________
Exhibits and attachments

- Parcel Map          Exhibit A
- Floor plans         Exhibit B
- Aerial Flyover maps Exhibit C