

**Town of Concord, Massachusetts
Office of the Town Manager**

RFP #389

**REQUEST FOR PROPOSALS
for
USE, OCCUPANCY, AND CARETAKER SERVICES
for
249 HARRINGTON AVENUE
Also known as
THE WHEELER/HARRINGTON HOUSE
REQUEST FOR PROPOSALS**

**USE, OCCUPANCY, AND CARETAKER SERVICES

249 HARRINGTON AVENUE
Also known as
THE WHEELER/HARRINGTON HOUSE
TOWN OF CONCORD, MA**

The Town of Concord is requesting proposals from qualified individuals or registered non-profit organizations for the lease of the historic Wheeler/Harrington House located at 249 Harrington Avenue in Concord in accordance with Massachusetts General Laws, chapter 40, section 3 and chapter 30B, section 16. The Town of Concord purchased 15 acres of land for conservation purposes in 1973, on which the Wheeler/Harrington House was located. The house is believed to have been built by Josiah Wheeler in the 1740s and sold by his heirs to Joseph Harrington in 1827. Following its purchase in the 1970s, the Town established a revolving fund for care and maintenance of the house. To this point, the Town has rented the house to individuals agreeing to make *substantial* contributions to its maintenance, including remedial carpentry, landscaping, and maintaining the open and agricultural character of the immediate surrounding land, and maintaining a program of historical archaeology in exchange for less-than-market rent. All rental proceeds from the house are deposited into its revolving fund, and are thereafter available to support the cost of extraordinary repairs and maintenance. Repairs have been made by the individuals occupying and caring for the house, or by private contractors coordinated by the occupants and with the Town Manager's prior approval. All significant repairs and all expenditures of Town funds on behalf of the Wheeler/Harrington House have been made only upon the approval of the Town Manager.

In accordance with the Town Charter, the Town Manager is responsible for the use and management of the Wheeler/Harrington House. The Concord Historical Commission is, however, charged with making recommendations to the Town Manager as to the conditions and long-term plans for the house. The Historical Commission has determined

that within the next several years, efforts should be made to have the house put forward, for the Town's consideration, a long-term plan for the House's historical preservation, with five, ten and twenty year programs of work. These will be among the items of discussion with regard to the house in the coming months and years.

The Wheeler/Harrington House is a two story, three bedroom, one bath residence with approximately 2,100 square feet of living space. The parcel has an assessed value of \$1,174,900¹. The land on which the house is located and the surrounding conservation land is under the care and control of the Natural Resources Commission, and carries an assessed value of \$819,100². The successful proposer may, with the approval of the Natural Resources Administrator, share in the use and care of the immediately adjacent land, but will not have a leasehold interest in the land.

Proposers shall identify a monthly rental payment to the Town (Via Form B), which shall be in addition to all utility costs that shall be the responsibility of the proposer, and any out-of-pocket expenses that the proposer accepts in the care and maintenance of the house. **The minimum monthly rental payment which may be proposed is \$1,200 per month for year one of the three-term lease³; rental payments shall increase by 2.5% per month in subsequent years beginning July 1, 2019.** The lease of the Wheeler/Harrington House is being offered at this less-than-fair-market value to promote the public purpose of effectively maintaining this historic property while the Town continues to consider long-term care and maintenance alternatives. It is in the public interest that this historic property receives proper maintenance and repair while not in use as a public facility. It is the Town of Concord's intention that the successful proposer will occupy the house and maintains it as a primary residence, while offering a reasonable opportunity for Town officials, citizens and other interested parties to visit the house (at pre-scheduled and agreed upon times) and to view the interior. It is also expected that the successful proposer will work cooperatively with the Assistant Town Manager, who serves as the landlord for the property. Additionally, the proposer shall work collectively with the Concord Historical Commission, the Natural Resources Commission and other interested Town Boards regarding matters which affect the long-term care and disposition of the home.

The term of the lease shall be 3 years from date of Commencement, with the opportunity for additional 3-year extension upon mutual agreement of the parties. The lease will include a cancellation clause providing the Town of Concord with the option of cancellation upon ninety (90) days' written notice to the lessee. The issuance of any subsequent RFP and lease shall also remain dependent upon the continued determination by the Town, acting through its Town Manager, that the house remains available for such use.

¹ Town of Concord, Department of Assessors, 2016 valuation and appraisal for total parcel.

² Town of Concord, Department of Assessors, 2016 valuation and appraisal, for land and grounds surrounding property.

³ This equates to approximately 35% of the market-value for similar rentals in the area.

In responding to this Request for Proposals, proposers should outline a methodology for identifying milestones in the care and maintenance of the house, including, but not limited to: exterior maintenance such as painting and interior maintenance such as plumbing, heating and electrical systems. This may take the form of a schedule which includes 1-year increments of work, but must include a method by which the proposer will ensure coordination with the Town Manager and other interested parties regarding the ongoing care and maintenance of the house. The proposer will be expected to maintain records of projects and maintenance efforts accomplished including dates, times and costs of tenant input. Proposers should identify their ability and willingness to facilitate an annual inspection and conference where, as the tenant, they will review their accomplishments with the Town and plan together for the following year's programs.

Proposals must identify that the proposer shall pay all utility costs for the term of the lease. In addition, proposers must indicate their skills, abilities, methods and plans for keeping the house, driveway and adjoining walkways in good repair.

Proposers should anticipate that the lease agreement will identify the conditions outlined in this RFP, as well as any other standard terms that the Town of Concord may identify in preparation of the lease.

In order to be considered, proposals (please include two copies) must be received by **2:00 p.m., August 9, 2018** addressed as follows:

Ms. Kate Hodges, Assistant Town Manager
Concord Town House: Town Manager's Office
22 Monument Square P.O. Box 535
Concord, MA 01742

Immediately thereafter, all proposals will be publicly opened in the Selectmen's Room, Town House – second floor, 22 Monument Square. For individuals or organizations interested in submitting a proposal an **on-site inspection will be held on site at 269 Harrington Avenue, Concord, MA, on Tuesday, July 24th at 4:00 PM; parking on-site is permitted.**

All proposals must be presented in a sealed envelope clearly marked
RFP #389 – Harrington House Lease of Property

Proposals shall include the enclosed Statement of Qualifications to provide the following services:

PROJECT:

Use and occupancy, and caretaker services for the historic Wheeler/Harrington House located at 249 Harrington Avenue in Concord, MA.

SUMMARY OF OPERATIONS:

The proposer must provide a thorough outline of qualifications including:

- ⇒ Confirmation of non-profit status (if you are an organization);
- ⇒ Any certifications which may provide the Town any further indication of applicant's qualifications;
- ⇒ Proper identification the individual, or organizations, familiarity and experience in providing similar services in Concord or another community within a structure of similar historic significance;
- ⇒ An outline of the individual, or organizations, activities that are proposed for the house;
- ⇒ Identification of the individual, or organizations, fiscal capacity to meet the terms of the lease including a proposal for a monthly rental amount.

Element 1, Implementation Plan

The proposer will outline their improvement and implementation plans. This element should include information such as the names and qualifications of potential occupants and caretakers, consultants and any other persons who may be involved with the improvement plans, or act on behalf of, the proposer. This element should include a clear outline of the proposer's anticipated implementation timeline including their schedule for occupancy and operation commencing on or about September 1, 2019.

Element 2, Qualifications

The proposer will outline their qualifications to occupy, maintain and preserve a house with historic significance and work cooperatively in advancing the long-term interests of the home. Qualifications shall include, but not be limited to: familiarity and experience in historic preservation and in working with individuals and organizations whose focus is historic preservation; hands-on preservation/maintenance experience; experience in overseeing such maintenance by others; relevant licenses and certifications; and, if applicable, staff composition and individual staff licenses and certifications.

Element 3, Community Experience

The proposer will outline their experience with carpentry, maintenance and/or their involvement in providing similar services in similar historic structures.

Element 4, Program

The proposer will outline the programs which they plan to implement within the house and surrounding grounds. This should include the methodology for identifying milestones in the care and maintenance of the house, and a method by which the proposer will ensure continued coordination with the Town Manager (and other interested parties) regarding the ongoing care and maintenance of the house. The proposer will identify their record keeping practices, and should include an outline of their ability and affirmation of their willingness to facilitate periodic inspections and discussions focusing on the present and future care, maintenance and disposition of the house. This section should also include the number of occupants, typical weekly activities, as well as any other relevant information on the nature of activities.

Element 5, Fiscal Capacity

The proposer will identify their fiscal capacity to successfully meet the terms of this Request for Proposals, including the cost of all utilities, rent as shall be proposed under the terms of this Request for Proposals, and out-of-pocket maintenance expenses which the proposer may choose to identify in the course of their proposal.

STATEMENT OF QUALIFICATIONS

In addition to the aforementioned requirements, to merit further consideration, proposals shall include the following information:

1. Name of proposer.
2. Address of proposer
3. Name of contact person, telephone number and fax number.
4. If a registered non-profit organization, names and address of all partners, officers, directors and any other person with an ownership interest greater than 5%.
5. If a registered non-profit organization, names of any Town of Concord officials or employees who are related to any of the partners, officers, or directors of the firm, or who have any ownership interest in the firm.
6. If a registered non-profit organization, names and resumes of all staff who will be assigned to supervise and work in the program, including any registrations and registration numbers.
7. A list of all activities or programs providing relevant experience in Concord or a similar community during the last ten years, including but not limited to activity or program name, location, size and type of building(s) served, cost for services, dates, name of lessor if applicable, and name of lessor's representative for which services were provided. Identify programs as completed or continuing.
8. If a joint venture proposal, provide the above information for all parties to the joint venture.
9. Other information which will document the proposer's capabilities and qualifications for the program.
10. Completed non-collusion and tax compliance certifications (attached).

The proposer will be selected based on the following weighted selection criteria:

60% - Experience in Trade & Historical Preservation

1. Experience with comparable activities in historic and residential settings.
2. Demonstrated excellence and quality of recent projects – photos of past work helpful.
3. Program management capability, including past performance in similar settings.
4. Relevant licenses and certifications indicative of proposer's ability to maintain a historically significant structure.

20% - Past Tenancy & Work Experience

1. Qualifications and availability of persons to occupy the house as their primary residence.

2. Demonstrated ability of proposed occupants to work cooperatively with groups in Town who share in their concerns regarding the care and disposition of a facility including Natural Resources, Historical Preservation Groups and the Town Manager's Office.
3. References from past employers, landlords or clients related to similar services.

20% - Professional & Financial Stability

1. Completeness and clarity of proposal.
2. Statement of fiscal capacity.

The minimum monthly lease payment for year #1 shall be a minimum of \$1,200.00 per month. While financial compensation will not be a principal criterion for evaluation, proposers may opt to include a higher monthly lease payment to the Town of Concord as an additional element for consideration.

AGREEMENT

After the top individuals or organizations are selected as the most qualified proposers, they shall be notified and scheduled for an in-person interview with members of the Town staff and committee liaisons.

Once a finalist is chosen, negotiations between the Town and the proposer shall be initiated in order to establish a detailed lease agreement and a finalized scope of services regarding property improvements.

A written agreement will then be forwarded to the Finance Director for review and submittal to the Town Manager for signature. All proposals shall remain valid until the earliest following occurrence: a written agreement is signed by the Town Manager, all proposals are rejected and this RFP process is declared closed, or ninety (90) days have elapsed from the RFP submittal deadline.

If for some reason an agreement cannot be reached, then, with the approval of the Town Manager, discussions with any additional top-ranked individuals or organizations may be initiated. This process may continue to a third-ranked individual or organization, and beyond, until an agreement is reached.

The Town of Concord reserves the right to reject any and all proposals, to waive any informality and to make award as may be in the best interest of the Town.

Agreement Requirement - There shall be a written agreement with the lessee stating the time limit for the lease and giving the parties the option of canceling such agreement upon a predetermined notice period.

Certifications - The agreement shall include the following certifications that shall be signed under penalties of perjury:

1. Certification that the proposer has not given, offered, or agreed to give, any gift, contribution or offer of employment as an inducement for, or in connection with the award of the agreement.

2. Certification that no subcontractor for the proposer has given, offered, or agreed to give, any gift, contribution or offer of employment to the proposer or to any other person, corporation, or entity as an inducement for, or in connection with, the award to the proposer or subcontractor of the lease.
3. Certification that no person, corporation or other entity, other than a bona fide, full-time employee of the proposer has been retained or hired to solicit for or in any way assist the proposer in obtaining the lease upon an agreement or understanding that such person, corporation or other entity be paid a fee or other consideration contingent upon the award of the lease.
4. Certification that the individual or organization has complied with state tax laws, in accordance with M.G.L. Chapter 62C, Section 49A.

DISCLOSURE OF BENEFICIAL INTERESTS:

The selected proposer will be required to submit a disclosure of beneficial interests as required by M.G. L. C. 7, S. 40 J (form attached).

Town of Concord
RFP #389
LEASE OF PUBLIC PROPERTY
249 Harrington Avenue

FORM A: 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 Commissioner of Capital Asset Management and Maintenance, as required by M.G.L. c.7, S.40J, 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: Town of Concord
(Name of jurisdiction)

2. Complete legal description of the property:
369 Commonwealth Avenue, Concord, MA 01742

3. Type of transaction: ___ Sale Lease or rental for 3 year (term).

4. Seller(s) or Lessor(s): Town of Concord

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** be disclosed.

Name	Address
_____	_____
_____	_____
_____	_____
_____	_____

(Continued on next page)

6. 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:

Name	Title or position
_____	_____
_____	_____

7. This section must be signed by the individual(s) or organization(s) entering into this real property transaction with the public agency named in item 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 addition 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 Asset Management and Maintenance 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: _____

Town of Concord

FORM C: CERTIFICATE OF NON-COLLUSION

The undersigned certifies under the 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, club, or other organization, entity, or group of individuals.

(Signature of individual submitting bid or proposal)

Town of Concord

FORM D: 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 the laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

NAME OF PROPOSER(S): _____

SIGNATURE(S): _____

PRINTED NAME(S) AND TITLE(S): _____

NAME OF BUSINESS: _____

ADDRESS: _____

SOCIAL SECURITY NUMBER(S) OR FEDERAL ID NUMBER: _____