

**Town of
Natick, Massachusetts**

**REQUEST FOR PROPOSALS
FOR THE SALE OF 5 AUBURN STREET,
NATICK, MASSACHUSETTS
(THE “AUBURN STREET PROPERTY”)**

PROPOSALS DUE:

_____, _____, **2022**, _____.M. LOCAL TIME

Late Proposals Will Be Rejected.

DELIVER COMPLETED PROPOSALS TO:

Bryan R. Le Blanc
Procurement Officer
Natick Public Works
75 West Street
Natick, MA 01760

NOTICE TO PROPOSERS

EDIT AS NECESSARY

. The Town of Natick, Massachusetts, Natick Town Hall, 13 East Central Street, Natick, MA 01760 (“the Town”), acting through the Natick Select Board, invites the submission of sealed proposals for the sale of a parcel held by the Town, located at 5 Auburn Street, Natick, Massachusetts. The Request for Proposals (“RFP”) may be obtained from the Procurement Office by emailing bleblanc@natickma.org between 8:30 A.M. and 4:30 P.M. local time, Monday through Thursday, and between 8:30 A.M. and 12:00 P.M. (noon) local time, Friday, beginning on _____, 2022. Sealed Proposals, contained in sealed envelopes marked “RFP: Sale of the Auburn Street Property” will be received until __:__.M. local time, _____, 2022, by the Natick Procurement Office, 75 West Street, Natick, MA . All Proposals shall comply with the RFP issued by the Town including, without limitation, the Proposal Submission Requirements. The Town reserves the right to waive any informality in or to reject any, any part of, or all Proposals in the best interest of the Town. Any Proposal submitted will be binding for one hundred eighty (180) days subsequent to the deadline date for receipt of sealed Proposals.

Section 1: Instructions to Proposers

In accordance with the provisions of Chapter 30B, Section 16 of the Massachusetts General Laws (M.G.L.) , the Town of Natick, by the Natick Select Board (hereinafter “the Town”) invites sealed Proposals from interested parties (hereinafter “**Proposers**”) for the sale of a parcel held by the Town, located at 5 Auburn Street, Natick, Massachusetts (the “Auburn Street Property.”)

Copies of the RFP may be obtained from the Natick Procurement Office, c/o Natick Public Works, 75 West Street, Natick, MA 01760, by emailing bleblanc@natickma.org between 8:30 A.M. and 4:30 P.M. local time, Monday through Thursday, and between 8:30 A.M. and 12:00 P.M. (noon) local time, Friday, beginning on _____, 2022.

No formal Pre-Proposal Conference will be held.

Questions regarding this RFP shall be submitted in writing and shall be delivered to the Procurement Office, by email to bleblanc@natickma.org, (4:30 P.M. local time, Monday through Thursday, and 12:00 P.M. (noon) local time, Friday) on _____, 2022. Questions presented after this time shall not be considered. No question shall be considered which is not submitted in writing. Any questions requiring consideration shall be answered in an addendum delivered to all registered Proposers.

Sealed Proposals, contained in sealed envelopes marked “RFP: Sale of the Auburn Street Property” will be received until ____:____.M. local time, _____, 2022, at this address:

Natick Procurement Office
c/o Natick Public Works
75 West Street
Natick, MA 01760.

Each Proposer’s name, address and contact phone number shall be clearly visible from the outside of each sealed envelope. The clock in the Procurement Office shall be considered official. No late Proposals shall be accepted. No faxed Proposals shall be accepted. Conditional Proposals will not be accepted.

Each Proposal shall be submitted in accordance with the Submission Requirements in order to be considered for award. Any Proposal submitted shall be binding for one hundred eighty (180) days subsequent to the time of the opening of Proposals.

The Town **will not** reimburse Proposers for any costs incurred in preparing Proposals in response to this RFP.

Submission of a Proposal shall be conclusive evidence that the Proposer has examined this RFP and is familiar with all the conditions of any contract awarded by the Town. Upon finding any omissions or discrepancy in this RFP, each Proposer shall notify the Town

immediately so that any necessary addenda may be issued. Failure of a Proposer to investigate completely the RFP and/or to be thoroughly familiar with this RFP shall in no way relieve any such Proposer from any obligation with respect to the Proposal.

By submission of a Proposal, the Proposer agrees that if its Proposal is accepted, then it shall enter into a Contract with the Town which incorporates all of the requirements of this RFP. By submission of a Proposal, the Proposer further indicates acceptance of all terms and conditions of this RFP.

Corrections, modifications or withdrawal of Proposals shall be submitted in writing to the Town prior to the deadline and shall be contained in a sealed envelope clearly marked, as appropriate, "CORRECTION, MODIFICATION OR WITHDRAWAL OF PROPOSAL RELATED TO SALE OF THE AUBURN STREET PROPERTY." No corrections, modifications, or withdrawal of Proposals shall be permitted after Proposals have been opened.

Massachusetts General Laws Chapter 30B, Section 16 which is incorporated herein by reference, will govern all procedures.

For further information, refer to the succeeding sections, with which each Proposer shall comply in submitting a Proposal.

Section 2: Pre-Proposal Conference, Questions and Inquires, Final Inquiry Date

A. Pre-Proposal Conference

A non-mandatory site visit will be held at the site 5 Auburn Street on (enter date).

B. Questions and Inquiries

Questions regarding this RFP shall be submitted in writing and shall be delivered to the Procurement Office, by email to bleblanc@natickma.org, (4:30 P.M. local time, Monday through Thursday, and 12:00 P.M. (noon) local time, Friday) on _____, 2022. Questions presented after this time shall not be considered. No question shall be considered which is not submitted in writing. Any questions requiring consideration shall be answered in an addendum delivered to all registered Proposers.

Section 3: Description of the Property

1. Auburn Street Property

The Auburn Street Property, located at 5 Auburn Street, Natick, Massachusetts, consists of an approximately 2.84 acre parcel improved with an approximately 14,000 SF vacant building, and an approximately 5,000 SF paved parking area, and being shown on Town of Natick Assessors' Map Parcel ID 63-00000001. A plot plan depicting the Auburn Street Property is included herein as Exhibit A.

The Auburn Street Property is located within the John Eliot Historic District and may be eligible for permitting under the Historic Preservation Bylaw (Section III-J of the Natick Zoning Bylaws). The Site is zoned RG (Residential General). The complete Natick Zoning Bylaw can be accessed from the Town website (<https://www.natickma.gov/701/Zoning-Bylaws>),.

The Town makes no representations of any kind with respect to the building's adequacy for reuse. The Auburn Street Property is offered for sale in "AS IS CONDITION," as the Town has no intentions of making any improvements to the Auburn Street Property prior to any Sale. Interested parties will be permitted to perform engineering surveys and due diligence at their own expense, provided that any such inspection or survey is approved in advance in writing, by the Town. Interested parties shall be responsible for determining the adequacy of the structure to support their proposed reuse.

Use of the Auburn Street Property is subject to the Natick Zoning Bylaw.

Section 4: Projected Selection Timeline

RFP Published in Central Register	_____
RFP Published in (INSERT NAME OF NEWSPAPER, WEB SITE, AND PUBLIC POSTING LOCATIONS)	_____
RFP Available	_____
Pre-Proposal Conference and Site/Facility Tour	_____ A.M. on _____
Final Inquiry Deadline	_____ P.M. on _____
Proposals Due to Awarding Authority at: Natick Procurement Office 75 West Street Natick, MA 01760	_____ A.M. on _____
Anticipated award is 180 days due date/opening	_____ P.M. on _____

Section 5: Submission of Proposals

Sealed Proposals, contained in sealed envelopes marked “RFP: Sale of the Auburn Street Property” will be received until __:__.M. local time, _____, 2022, at this address:

Natick Procurement Office
c/o Natick Public Works
75 West Street
Natick, MA 01760.

The Proposer’s name, address and contact phone number shall be clearly visible from the outside of each sealed envelope. Each Proposal shall include a Price Proposal and a Non-Price Proposal. Each Proposal shall be submitted in accordance with the Proposal Submission Requirements set forth herein in order to be considered for award. All Proposals submitted shall be typed or printed using a standard twelve (12)-point font and a blank line between paragraphs. Pages shall be numbered.

Each Proposal shall be submitted in accordance with the Proposal Submission Requirements in order to be considered for award. Any Proposal submitted shall be binding for one hundred eighty (180) calendar days subsequent to the time of the opening of Proposals.

Section 6: Proposal Submission Requirements

I. PRICE PROPOSAL

To be considered responsible and responsive and eligible to submit a Proposal for consideration of having the most advantageous Proposal, Proposers shall submit their price Proposals on the form entitled “Price Proposal Form” that is enclosed herewith as Appendix 1. The Price Proposal Form shall include a price that includes the furnishing of all payments, insurance, and other costs incurred in the performance under the Contract, and signed by an individual authorized to bind the Proposer contractually.

II. NON-PRICE PROPOSAL

To be considered responsible and responsive and eligible to submit a Proposal for consideration of having the most advantageous Proposal, Proposers shall submit non-price Proposals that comply with the following requirements:

A. Letter of Transmittal

Proposers shall submit cover letters with their Proposals. Each cover letter shall be signed by the Proposer, stating that the Proposal is effective for at least one hundred eighty (180) calendar days from the opening of Proposals.

B. Table of Contents

Proposals shall include a table of contents, properly indicating the section and page numbers of the information included.

C. Main Content

- 1) A fully executed Price Proposal Form.
- 2) A fully executed Certificate of Non-Collusion.
- 3) A fully executed Certificate of Tax Compliance (M.G.L., c.62C, §49A).
- 4) A fully executed Disclosure of Beneficial Interests in Real Property Transaction Form (M.G.L. c. 7C, §38).
- 5) A fully executed Conflict of Interest Certification (M.G.L. c.268A).
- 6) A fully executed Certificate of Corporate Proposer.
- 7) A fully executed Certificate of Compliance with M.G.L. c. 151B.
- 8) A fully executed Certificate of Non-Debarment.
- 9) The name, address, telephone number and email address of the individual submitting the Proposal who will serve as the organization's primary contact with the Town.
- 10) A description of the organization, its year of founding, its mission/purpose, legal status (specifying any parent/subsidiary companies), its membership composition, and its leadership structure, including a list of any directors and/or partners, as applicable. Each Proposer shall also identify any name changes in the past ten (10) years
- 11) A summary of the Proposer's intended use of the Auburn Street Property. While detailed plans and specifications for the proposed project are not required for the Proposal, Proposers are encouraged to include conceptual drawings, sketches, graphics, and/or other written materials to fully describe and illustrate the proposed uses and plans for the Auburn Street Property. Each Proposer shall also submit a detailed narrative description of the proposed reuse of the Auburn Street Property. Within this section, each Proposer shall include the following information:
 - a. The Proposer's proposed reuse of the Auburn Street Property.
 - b. The estimated number of parking spaces needed, as required by the Natick Zoning Bylaw.
 - c. A summary of any anticipated negative impacts that are expected to substantially affect the surrounding neighborhood or Town of Natick and how the respondent proposes to address, mitigate, and/or minimize these impacts. Impacts can be physical, fiscal, social, or environmental. If the impact is temporary in nature (e.g. during construction only), please note.
 - d. A description of how the proposed reuse complies with the Natick Zoning Bylaw and, as applicable, a specific description of what sections of the Natick Zoning Bylaw from which zoning relief may be needed.
 - e. A description of how the Proposed Project complies with the Natick 2030+ Comprehensive Master Plan (<https://www.natickma.gov/1614/Natick-2030-Master-Plan>) and how the Proposed Project meets the goals of the Plan and other Town policies, and goals of the RFP.
 - f. A conceptual landscape plan.

- g. A conceptual plan of any building additions, demolitions, new construction, and/or significant changes to the existing structure.
- h. A Project schedule including permitting, design, and construction phases.
- i. Listing of all federal, state, and town permits and variances required for the project.

- 12) A statement that the Proposer has visited the Auburn Street Property and is fully acquainted with the conditions as they exist.
- 13) A description of past performance in both public and private purchases to which the Proposer was a party.
- 14) Contact name, phone number and, if applicable, contract name, for up to three (3) current references, ideally from similar projects completed.
- 15) A statement of any legal proceedings pending or concluded within the past five (5) years relating to the purchasing of property.
- 16) A statement of financial stability of the Proposer. Each Proposer shall provide the last two (2) year-end Financial Statements with supplemental schedules or last two (2) year's Balance Sheets.
- 17) Each proposer should submit a development budget and a financing plan, detailing anticipated sources of funding (public and private), timing of such funding, and any application processes to secure such funding.

Section 7. Selection Criteria

2. Minimum Evaluation Criteria

In order to be considered, a Proposal shall comply with the requirements set forth in Section 6 above.

2. Comparative Evaluation Criteria

All responsive proposals will be judged against the **Comparative Evaluation Criteria** detailed below. The Town will rank each proposal as:

- a. Highly Advantageous – the proposal exceeds the standards of the specific criterion;
- b. Advantageous – the proposal fully satisfies the standards of the specific criterion;
- c. Not Advantageous – the proposal does not fully satisfy the standards of the specific criterion, or is incomplete and/or unclear.

2.1 Quality and number of references as a Purchaser in both public and private contexts.

Highly Advantageous Proposal features: Not used.

Advantageous Proposal features: The Proposer's Proposal features all positive references. A Proposal that meets such criteria will be considered **advantageous**.

Not Advantageous Proposal features: The Proposer's Proposal features no positive references or one (1) or more negative references. A Proposal that meets such criteria will be considered **"not advantageous."**

2.2 Proposed re-use of the Auburn Street Property.

Highly Advantageous Proposal features: The proposed use preserves the existing structure to the extent feasible, with no or minimal changes to the existing massing, footprint, or general overall appearance and is respectful of the historic attributes of the existing Auburn Street Property. The proposed use maximizes the amount and quality of open space on the Property, especially the open space along Eliot Street. The proposed use serves community needs or promotes a public service, including affordable housing, civic space, arts & cultural amenities, educational facilities, recreational amenities (such as public access to the Charles River from the site), and/or other such uses as may be proposed. The proposed use furthers the goals of the Natick 2030+ Comprehensive Master Plan. A Proposal that meets all or nearly all such criteria will be rated **highly advantageous**.

Advantageous Proposal features: The proposed use in the Proposer's Proposal meets many, but not all or nearly all, of the criteria for "highly advantageous," above. The proposed use may meet nearly all of the criteria for "highly advantageous" but creates some negative and significant impacts to the surrounding community that are not able to be completely addressed through reasonable mitigation measures. A Proposal that meets such criteria will be rated **advantageous**.

Not Advantageous Proposal features: The proposed use in the Proposer's Proposal meets few/none of the criteria for "highly advantageous" and/or fails to serve the community needs, fails to promote a public service, fails to promote a public purpose, creates negative and significant impacts that cannot be addressed through reasonable mitigation measures. A Proposal that meets these criteria will be rated **"not advantageous."**

2.3 Ability to Execute

Highly Advantageous Proposal features: The Proposer presents a clear, concise, and realistic budget and financing plan which describes the proposed source(s) of sufficient funds to purchase the site and complete the proposed improvements thereto. The Proposer's financing plan describes the schedule, process, requirements, and approvals needed to secure all public and private funding required to complete the proposed project. The proposed schedule is realistic and implements the proposed improvements in a reasonable length of time. The Proposed Project does not need to be rezoned at Town Meeting to be completed, but may require findings, variances, or other relief from the ZBA or other town boards, commissions, or departments. The Proposer demonstrates sufficient experience in projects similar to the

Proposer's submitted plan and has assembled a team with experience to complete the Proposed Project. A Proposal that meets such criteria will be rated **highly advantageous**.

Advantageous Proposal features: The proposed use in the Proposer's Proposal meets many, but not all, of the criteria for "highly advantageous," above, but requires a rezoning through Town Meeting. A Proposal that meets such criteria will be rated **advantageous**.

Not Advantageous Proposal features: The Proposer submits a financing plan that does not adequately describe the source(s) of funding or a realistic and feasible process for securing such funding. The Proposer does not demonstrate sufficient experience completing similar projects and has not assembled a development and design team with sufficient experience. The Proposer submits a development budget that is not realistic or sufficient to achieve and implement the proposed project. The submitted schedule is not realistic, requires rezoning through Town Meeting, and/or substantially delays the implementation of the proposed project. A Proposal that meets such criteria will be rated **"not advantageous."**

Section 8. Final Selection and Award of Purchase and Sale Agreement.

The Review Committee will review and rate the Proposals and rank them.

Based upon the Review Committee's analysis of the Proposals, the Review Committee will make a recommendation to the Select Board concerning which Proposal the Town should accept. Any Sale of the Auburn Street Property by the Town will be awarded, if at all, pursuant to Massachusetts General Laws Chapter 30B, Section 16, to a responsive and responsible Proposer who has submitted the most advantageous Proposal, taking into consideration price and all other evaluation criteria set forth in the RFP.

The Select Board reserves the right to interview 1 or more respondents prior to making an award pursuant to this RFP.

Nothing in this RFP will compel the Town to award a Purchase and Sale Agreement. The Town may cancel this RFP, may waive, to the extent allowed by law, any informalities, and may reject any and all Proposals, if the Town, in its sole discretion, determines said action to be in the best interest of the Town. The Town may reject as non-responsive any Proposal that fails to satisfy any of the Proposal Submission Requirements.)

The Successful Proposer shall, within ten (10) days after presentation thereof by the Town, execute a Purchase and Sale Agreement in accordance with the terms of this RFP, in the form of the attached Purchase and Sale Agreement. Such ten (10) day period may be extended by written agreement of the Town and the successful Proposer, executed prior to the expiration of said ten (10) day period.

Section 9. Compliance with Laws

The Purchaser shall comply with all provisions of Federal, Massachusetts and Town of Natick law applicable to his work including, without limitation, statutes, by-laws, rules, regulations, orders and directives, as amended.

Section 10. Insurance

The Purchaser shall keep in force the amount of insurance described in the Purchase and Sale Agreement which is a part of this RFP and is incorporated herein by reference.

Section 11. Indemnification

The Purchaser shall assume all indemnification responsibilities described in the Purchase and Sale Agreement which is a part of this RFP and is incorporated herein by reference.

Section 12. Appendices/Exhibits

Appendices

1. Price Proposal Form.
2. Certificate of Non-Collusion.
3. Certificate of Tax Compliance. (M.G.L., c.62C, §49A).
4. Disclosure of Beneficial Interests in Real Property Transaction Form (M.G.L. c. 7C, §38).
5. Conflict of Interest Certification (M.G.L. c.268A).
6. Certificate of Corporate Proposer.
7. Certificate of Compliance with M.G.L. c. 151B.
8. Certificate of Non-Debarment.
9. Purchase and Sale Agreement.

Exhibits

- A. Plan depicting the Auburn Street Property.

Appendix 1
Price Proposal Form
Page 1 of 2

Please print legibly.

For a purchase, the undersigned hereby submits the following price:

Total in numbers

Total in words

Price Proposal Form
Page 2 of 2

Printed Name

Authorized Signature

Date

Printed Name

Printed Title

If a Corporation:

Full Legal Name _____

Officers of Corporation and Addresses _____

State of Incorporation

Principal of Business _____

Zip Code _____

Qualified in Massachusetts

Yes _____

No _____

Place of Business in MA _____

Zip Code _____

Tel. _____

Full Legal Name of Surety Company _____

Principal Place of Business _____

Admitted in Massachusetts

Yes _____

No _____

Place of Business in MA _____

Zip Code _____

Tel. _____

Appendix 2
CERTIFICATE OF NON-COLLUSION

The undersigned certifies, under penalties of perjury, that this 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.

Printed Name of Proposer

Printed Address of Proposer

Telephone Number

By: _____
(Signature)

Printed Name

Printed Title

Date

Appendix 3
CERTIFICATE OF TAX COMPLIANCE

Pursuant to M.G.L. c. 62C, §49A, I certify under the penalties of perjury that the Proposer named below has complied with all laws of the Commonwealth of Massachusetts pertaining to the payment of taxes, to the reporting of employees and contractors, and to the withholding and remitting of child support.

Printed Name of Proposer

Printed Address of Proposer

Telephone Number

By: _____
(Signature)

Printed Name

Printed Title

Date

Appendix 4
DISCLOSURE OF BENEFICIAL INTERESTS IN REAL PROPERTY
TRANSACTION

INSTRUCTION SHEET

NOTE: The Division of Capital Asset Management and Maintenance (DCAMM) shall have no responsibility for insuring that the Disclosure Statement has been properly completed as required by law. Acceptance by DCAMM of a Disclosure Statement for filing does not constitute DCAMM's approval of this Disclosure Statement or the information contained therein. Please carefully read M.G.L. c. 7C, s. 38 which is reprinted in Section 8 of this Disclosure Statement.

Section (1): Identify the real property, including its street address, and city or town. If there is no street address then identify the property in some other manner such as the nearest cross street and its tax assessors' parcel number.

Section (2): Identify the type of transaction to which this Disclosure Statement pertains --such as a sale, purchase, lease, etc.

Section (3): Insert the exact legal name of the Public Agency participating in this Transaction with the Disclosing Party. The Public Agency may be a Department of the Commonwealth of Massachusetts, or some other public entity. Please do not abbreviate.

Section (4): Insert the exact legal name of the Disclosing Party. Indicate whether the Disclosing Party is an individual, tenants in common, tenants by the entirety, corporation, general partnership, limited partnership, LLC, or other entity. If the Disclosing Party is the trustees of a trust then identify the trustees by name, indicate that they are trustees, and add the name of the trust.

Section (5): Indicate the role of the Disclosing Party in the transaction by checking one of the blanks. If the Disclosing Party's role in the transaction is not covered by one of the listed roles then describe the role in words.

Section (6): List the names and addresses of every legal entity and every natural person that has or will have a direct or indirect beneficial interest in the real property. The only exceptions are those stated in the first paragraph of the statute that is reprinted in Section 8 of this Disclosure Statement. If the Disclosing Party is another public entity such as a city or town, insert "inhabitants of the (name of public entity)." If the Disclosing Party is a non-profit with no individual persons having any beneficial interest then indicate the purpose or type of the non-profit entity. If additional space is needed, please attach a separate sheet and incorporate it by reference into Section 6.

Section (7): Check "NONE" in the box if none of the persons mentioned in Section 6 is employed by DCAMM or an official elected to public office in the Commonwealth of Massachusetts. Otherwise list any parties disclosed in Section 6 that are employees of DCAMM or an official elected to public office.

Section (8): The individual signing this statement on behalf of the Disclosing Party acknowledges that he/she has read the included provisions of Chapter 7C, Section 38 (formerly Chapter 7, Section 40J) of the General Laws of Massachusetts.

Section (9): Make sure that this Disclosure Statement is signed by all required parties. If the Disclosing Party is a corporation, please make sure that this Disclosure Statement is signed by a duly authorized officer

of the corporation as required by the statute reprinted in Section 8 of this Disclosure Statement.

DCAMM's acceptance of a statement for filing does not signify any opinion by DCAMM that the statement complies with applicable law.

This completed and signed Disclosure Statement should be mailed or otherwise delivered to:

Deputy Commissioner for Real Estate
Division of Capital Asset Management and Maintenance
One Ashburton Place, 15th Floor, Boston, MA 02108

DRAFT

The undersigned party to a real property transaction with a public agency hereby discloses and certifies, under pains and penalties of perjury, the following information as required by law:

(1) REAL PROPERTY:

(2) TYPE OF TRANSACTION, AGREEMENT, or DOCUMENT:

(3) PUBLIC AGENCY PARTICIPATING in TRANSACTION:

(4) DISCLOSING PARTY'S NAME AND TYPE OF ENTITY:

(5) ROLE OF DISCLOSING PARTY (Check appropriate role):

____ Lessor/Landlord

____ Lessee/Tenant

____ Seller/Grantor

____ Buyer/Grantee

____ Other (Please describe): _____

(6) The names and addresses of all persons and individuals who have or will have a direct or indirect beneficial interest in the real property excluding only 1) a stockholder of a corporation the stock of which is listed for sale to the general public with the securities and exchange commission, if such stockholder holds less than ten per cent of the outstanding stock entitled to vote at the annual meeting of such corporation or 2) an owner of a time share that has an interest in a leasehold condominium meeting all of the conditions specified in M.G.L. c. 7C, s. 38, are hereby disclosed as follows (attach additional pages if necessary):

NAME

RESIDENCE

(7) None of the above- named persons is an employee of the Division of Capital Asset Management and Maintenance or an official elected to public office in the Commonwealth of Massachusetts, except as listed below (Check "NONE" if NONE):

☐ NONE

NAME:

POSITION:

-
-
- (8) The individual signing this statement on behalf of the above-named party acknowledges that he/she has read the following provisions of Chapter 7C, Section 38 (formerly Chapter 7, Section 40J) of the General Laws of Massachusetts:

No agreement to rent or to sell real property to or to rent or purchase real property from a public agency, and no renewal or extension of such agreement, shall be valid and no payment shall be made to the lessor or seller of such property unless a statement, signed, under the penalties of perjury, has been filed by the lessor, lessee, seller or purchaser, and in the case of a corporation by a duly authorized officer thereof giving the true names and addresses of all persons who have or will have a direct or indirect beneficial interest in said property with the commissioner of capital asset management and maintenance. The provisions of this section shall not apply to any stockholder of a corporation the stock of which is listed for sale to the general public with the securities and exchange commission, if such stockholder holds less than ten per cent of the outstanding stock entitled to vote at the annual meeting of such corporation. In the case of an agreement to rent property from a public agency where the lessee's interest is held by the organization of unit owners of a leasehold condominium created under chapter one hundred and eighty-three A, and time-shares are created in the leasehold condominium under chapter one hundred and eighty-three B, the provisions of this section shall not apply to an owner of a time-share in the leasehold condominium who (i) acquires the time-share on or after a bona fide arms length transfer of such time-share made after the rental agreement with the public agency is executed and (ii) who holds less than three percent of the votes entitled to vote at the annual meeting of such organization of unit owners. A disclosure statement shall also be made in writing, under penalty of perjury, during the term of a rental agreement in case of any change of interest in such property, as provided for above, within thirty days of such change.

Any official elected to public office in the commonwealth, or any employee of the division of capital asset management and maintenance disclosing beneficial interest in real property pursuant to this section, shall identify his position as part of the disclosure statement. The commissioner shall notify the state ethics commission of such names, and shall make copies of any and all disclosure statements received available to the state ethics commission upon request.

The commissioner shall keep a copy of each disclosure statement received available for public inspection during regular business hours.

- (9) This Disclosure Statement is hereby signed under penalties of perjury.

PRINT NAME OF DISCLOSING PARTY (from Section 4, above)

AUTHORIZED SIGNATURE of DISCLOSING PARTY DATE (MM / DD / YYYY)

PRINT NAME & TITLE of AUTHORIZED SIGNER

DRAFT

Appendix 5
CONFLICT OF INTEREST CERTIFICATION

The Proposer hereby certifies that:

1. 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 a Purchase and Sale Agreement pursuant to this Request for Proposals.
2. No consultant to, or 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 consultant or subcontractor of a Purchase and Sale Agreement by the Proposer.
3. 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 Purchase and Sale Agreement (pursuant to this Request for Proposals) upon an agreement or understanding that such person, corporation or entity be paid a fee or other compensation contingent upon the award of a Purchase and Sale Agreement to the Proposer.
4. The Proposer understands that the Massachusetts Conflict of Interest Law, Chapter 268A of the Massachusetts General Laws, applies to the Proposer with respect to the transaction outlined in the Request for Proposals.
5. The Proposer understands that the Proposer, his/her/its officers, employees, agents, subcontractors, and affiliated entities, shall not participate in any activity which constitutes a violation of the Massachusetts Conflict of Interest Law or which creates an appearance of a violation of the Massachusetts Conflict of Interest Law.

Printed Name of Proposer

Printed Address of Proposer

Telephone Number

By: _____
(Signature)

Printed Name

Printed Title

Date

Appendix 6
CERTIFICATE OF CORPORATE PROPOSER

I, _____, certify that I am the _____ of the Corporation named as Proposer in the attached Proposal; that _____, who signed said Proposal on behalf of the Proposer was then _____ of said Corporation; that I know his/her signature hereto is genuine and that said Proposal was duly signed, sealed and executed for and on behalf of its governing body.

(Corporate Seal)

Printed Name of Proposer

Printed Address of Proposer

Telephone Number

By: _____

(Signature)

Printed Name

Printed Title

Date

This Certificate shall be completed where Proposer is a Corporation and shall be so completed by its Clerk. In the event that the Clerk is the person signing the Proposal on behalf of the Corporation, this certificate shall be completed by another officer of the Corporation.

DRAFT

Appendix 7
CERTIFICATE OF COMPLIANCE WITH M.G.L. c. 151B

The Proposer hereby certifies that it is in compliance with and shall remain in compliance with Massachusetts General Laws (M.G.L.) Chapter 151B and shall not discriminate on any prohibited basis outlined therein. The Proposer also hereby certifies that it shall comply with any and all State Office of Minority and Women Business Enterprise Assistance (SOMWBA) thresholds, as applicable, if they have been established in conjunction with this Request for Proposals.

Printed Name of Proposer

Printed Address of Proposer

Telephone Number

By:

(Signature)

Printed Name

Printed Title

Date

Appendix 8
CERTIFICATE OF NON-DEBARMENT

The Proposer hereby certifies that it is presently not debarred, suspended, or otherwise prohibited from practice by any federal, state, or local agency, and that, should any proceeding arise in which it is debarred, suspended, or otherwise prohibited from practice by any federal, state, or local agency, the Proposer shall inform the Town within one (1) business day of such debarment, suspension, or prohibition from practice.

Printed Name of Proposer

Printed Address of Proposer

Telephone Number

By: _____

(Signature)

Printed Name

Printed Title

Date

Appendix 9
Purchase and Sale Agreement
(See attached document.)

DRAFT

Exhibit A. Plan depicting the Auburn Street Property.
(See attached document).

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