

TOWN OF SWAMPSCOTT

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# REQUEST FOR PROPOSALS

FOR THE  
REHABILITATION AND CONVERSION  
OF THE

## FORMER SENIOR CENTER

INTO A

## CULTURAL CENTER

LOCATED AT

89 BURRILL STREET  
SWAMPSCOTT, MA

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Proposals Deadline

9:00 am  
Monday, December 7, 2015

Proposal Submission To

Office of the Town Administrator  
Swampscott Town Hall  
22 Monument Ave  
Swampscott, MA 01907

## **1) Property Description**

The Town of Swampscott is offering for lease through the Request for Proposal (“RFP”) process, in accordance with Massachusetts General Laws Chapter 30B, land and improvements known as the former senior center (“Property”), located at 89 Burrill Street, Swampscott, MA. The Property is designated as Map 1, Lot 23 on the Town Assessors’ maps and comprises 0.21 acres of land, more or less. The Property is the site of a two-story, wood frame building of approximately 3,664 square feet constructed in 1885. The Property was originally designed and occupied as a single-family residence. It later served as the American Legion headquarters and then as the Town senior center. It has been vacant since September 2007. The Property is located in the Planned Development District zoning district. The Town is now seeking to convert the Property into a cultural center.

For the purposes of this RFP, the term “Town” shall mean the Town of Swampscott, the term “Town Administrator” shall mean the Town of Swampscott Town Administrator (and shall be interchangeable and synonymous with “Administrator”), and the term “Board of Selectmen” shall mean the Town of Swampscott Board of Selectmen (and shall be interchangeable and synonymous with “Selectmen” or “Board”). The aforementioned terms shall also mean “or its designee.” The term “Project” shall mean and refer to conversion, rehabilitation, and operation of the property as a public cultural center located at 89 Burrill Street, Swampscott, MA, known as the former senior center.

## **2) Purpose**

The Town is requesting proposals from interested parties, with statements of qualifications, to rehabilitate the Property in accordance with the intentions and restrictions specified herein. It is the objective of the Town that the Property be converted to a public cultural center while retaining the structural and visual characteristics of the existing improvements and by complying with existing zoning and other restrictions set forth in this RFP.

The awarded leaseholder will rehabilitate the Property, make it available for public use and access, and operate the first cultural center for the community. The cultural center should provide intergenerational arts and educational programming to seniors, youth, and the community at-large. It must be financially self-sustainable and not require town funding to operate. Proposals should consider uses including, but not limited to:

- Studio, gallery and storage space for artists, with a preference given to Swampscott artists;
- Space for neighborhood meetings, social/cultural events, performances, as well as occasional municipal use for meetings or events;
- Limited afterschool programming for youth;
- Facility space for local nonprofits and charitable organizations that that the arts and cultural community.

The Town will not lease the Property for any other use other (such as residential, commercial, religious, industrial).

### 3) Zoning and Other Restrictions

Interested parties should review for themselves the zoning and other permitting requirements within the Burrill Street Senior Center Planned Development District and the Town's Zoning By-Laws.

Use Restriction – The Zoning Board of Appeals granted a use special permit to authorize the property for use as a municipal cultural center (See Appendix A).

Demolition Permitted – As part of the property rehabilitation, demolition of the one-story basement addition would be allowed.

Rehabilitation Costs – The costs for rehabilitation and maintenance of the structure will be the responsibility of the leaseholder.

Term of Lease – The Town can provide a lease of up to 30 years at this time. A lease renewal to go beyond 30 years may be available, upon Town Meeting approval.

### 4) RFP and Anticipated Post-Selection Schedule

An outline of dates for this RFP along with the anticipated schedule after a respondent is selected is provided below. Estimated dates are marked with an asterisk.

<b>Request for Proposals Released</b>	Wednesday, Nov 4
<b>Pre-Submittal Meeting and Property Viewing</b>	Friday, Nov 20
<b>Close of Questions Period</b>	Monday, Nov 30
<b>Proposals Due</b>	Monday, Dec 7
<b>Review of Proposals Begins</b>	Friday, Dec 11
<b>Selection of Proposal</b>	Friday, Dec 18*
<b>Negotiations Between Town and Respondent</b>	Early-Mid January 2016*
<b>Signing of Lease</b>	Mid-Late January 2016*

### 4) Proposal Packages, Project Information and Submission Deadline

Parties interested in responding to this RFP are invited to submit a proposal in accordance with the following terms and conditions. With submission of a response to this RFP, the interested party acknowledges that he or she has read and understands the requirements and conditions herein.

Availability of Proposal Packages – All interested parties must obtain a copy of this RFP from the Office of the Town Administrator at Swampscott Town Hall, 22 Monument Avenue, Swampscott, MA 01907, Monday through Thursday between the hours of 8:30 am and 4:00 pm and between the hours of 9:00 am and 12 noon on Fridays, holidays excepted.

Submission Deadline – Sealed proposals must be received at the Office of the Town Administrator no later than 9:00 am on Monday, December 7, 2015. Late, faxed or emailed proposals will not be accepted. The front page of the proposal package must be clearly marked with the words “Burrill Street Senior Center.”

Pre-Submittal Meeting and Property Viewing – Interested parties will have the opportunity to attend a pre-submittal meeting, to be held at Swampscott Town Hall, 22 Monument Avenue, Swampscott, MA, on Friday, November 20, 2015 at 10:00 am, at which time Town representatives will review the materials included in this RFP and respond to questions about the Property, the selection process and related issues. Town representatives will then conduct a viewing of the Property for interested parties. Interested parties may, on a separate date, arrange to conduct an inspection of the Property for purposes and under conditions agreeable to the Town.

Questions – Written responses will be provided to requests for clarification or interpretation of the meaning of the provisions of this RFP, including the documents attached hereto; to all questions raised at the pre-submittal meeting; and to those questions otherwise submitted in writing, and will be distributed to all parties who have received an RFP. In the sole discretion of the Town, written responses to questions raised during the Property view, or submitted in writing to the Town subsequent to the pre-submittal meeting and Property view, will be similarly distributed. The Town is not obligated, in any way, to waive RFP requirements, or create exceptions, for respondents who choose not to attend the pre-submittal meeting or Property Viewing. Written questions must be submitted to the Office of the Town Administrator, 22 Monument Avenue, Swampscott, MA 01907, with “Burrill Street Senior Center” clearly marked on the outside no later than 9:00 am on Monday, November 30, 2015.

## **5) Proposal Review and Selection Process**

Review Authority – Commencing on Friday, December 11, 2015, the Review Committee (comprised of the Town Administrator and a member of the Board of Selectmen) will begin to review submitted proposal packages. The Review Committee may delegate the review tasks and accompanying responsibilities to their designee, which may be any individual, individuals or a committee to be formed or already existing, as the Review Committee deems in its sole discretion to be appropriate.

Review Basis – Each proposal will be evaluated and scored based on the proposal's responsiveness to Town interests, proposed use, design objectives and guidelines, and other selection criteria as specified in Appendix B. The statement of qualifications of each respondent will be reviewed and scored to identify those who possess the development, construction, and program operation experience, good standing in the industry, and the financial stability and capacity to develop the Project to completion.

Distribution of Proposals – During the review process, the proposal packages may be directed to such Town boards, committees and individuals whose comments and observations the Review Committee deems will assist in the decision process. The Administrator may seek the advice and input from any Town boards, committees or individuals, and from Town counsel, during the review process.

Additional Information/Interviews – The Review Committee may request additional information of one or more respondents relative to a proposal or qualifications. Requests shall be in writing with the expectation of a written response within a specified time. Respondents may also be invited to appear before the Review Committee and/or Board of Selectmen, which shall occur at an open, public meeting. Failure to comply with this request will result in a rejection of the proposal at issue. The right to an interview does not automatically extend to all whose proposals are accepted for review, but is granted in the sole discretion of the Selectmen.

Ranking and Award – The Review Committee will rank the submitted proposals in accordance with their respective scores. From this ranking, the Review Committee may select proposals for further review. The Review Committee, along with the Board of Selectmen, shall award the Project to the proposal that is most advantageous to the Town taking into consideration the selection criteria and the financial terms of all proposals that meet the minimum criteria.

Right to Withdraw – Proposals may be withdrawn without penalty prior to the submission deadline by written request to the Town Administrator.

## **6) Rights Reserved by Town**

- The Town reserves the right, in its sole discretion, to select finalists to submit and negotiate a more fully-developed response. The Town reserves the right to waive minor irregularities or defects contained in any proposal and to allow exceptions to the specifications and requirements herein, provided that such waiver or exception does not materially alter the conditions under which all proposals were submitted.
- Each respondent must include sufficient supporting material to allow a meaningful and comprehensive evaluation of its proposal. The Town reserves the right to disqualify any

proposal or response due to insufficient supporting or explanatory information, or to request additional supporting information.

- The Town reserves the right to reject or accept, in its sole discretion, any conditional proposal that is submitted.
- The Town reserves the right to reject any and all proposals, or to cancel the RFP, with no penalty, if deemed to be in the best interests of the Town.

## **7) Minimum Submittal Requirements**

The proposal package must consist of a lease value proposal and a project proposal in separate, sealed envelopes. The project proposal must not include reference to an annual dollar amount of lease. Otherwise, each respondent must, at a minimum, submit the information and meet the standards indicated below. Failure to meet minimum submittal requirements will be sufficient cause to reject a proposal. Respondents are solely responsible for reviewing all the provisions of this RFP and any attachments, prior to submitting the proposal. Proposals that are incomplete, not properly endorsed, or are otherwise in conflict with the requirements of this RFP may be rejected. All proposals, including lease value proposals, shall be opened at the time of proposal opening.

- a. Original/Copies – In a sealed package, submit one (1) unbound original and six (6) bound copies of the proposal, complete with all back-up materials for each proposal package. Submit the proposal package by 9:00 am, Monday, December 7, 2015, to:

Office of the Town Administrator  
Swampscott Town Hall  
22 Monument Avenue  
Swampscott, MA 01907

- b. Format – Proposals must be submitted in an 8 ½" x 11" format for text, and to the extent practical, for graphics. Oversized pages or graphics should be folded to 8 ½" x 11".
- c. Proposal Security – Proposal security in the form of a certified check, cashier's check or bid bond payable to the "Town of Swampscott" in the amount of five percent (5%) of the respondent's proposed annual lease value must accompany the proposal package. The proposal security of parties not selected will be returned within a reasonable time after the date of an award. Proposal packages which fail to include security, or those of responding parties who fail to provide the aforementioned security by the submission deadline, will be summarily rejected as non-responsive.

- d. Cover Letter – A cover letter must include a statement of interest, identify the primary respondent company, the proposed Property operator and name, address and contact information of all interested parties.
- e. Price Proposal Form – The proposal package must include, in a separate sealed envelope, a Lease Value Proposal Form, indicating the proposed annual dollar amount of the lease for the Property. Respondents shall use the form attached to this RFP.
- f. Project Team Qualifications – The proposal must identify the principal and support members of the project team (i.e., the persons who will carry out the rehabilitation and operation plan). A resume for each person must be attached which demonstrates the qualifications, experience, and role of each member of the project team, including their experience with similar projects. References must also be included.
- g. Development Experience – Included must be a description of the respondent's experience in property rehabilitation and construction, including similar projects currently underway. Include client contact names and telephone numbers.
- h. Operations Experience – Included must be a description of the respondent's experience in program and building operations, including similar projects where applicable. Include client contact names and telephone numbers.
- i. Financing and Financial Capacity – The respondent must indicate how the Project rehabilitation and operations will be financed. If financing will be provided by a lending institution, a pre-approval letter must be provided from the lender acknowledging that the respondent has sufficient financial resources to complete the Project and operate the municipal cultural center.
- j. Condition of Property – The respondent must represent and warrant that it, or its agents, have conducted a full inspection of the Property, and based on such investigation, is aware of the condition of the Property and will accept the Property "as is." The respondent must acknowledge that the Town has no responsibility for hazardous waste, oil, hazardous material or hazardous substances as those terms are defined under any applicable law, rule, or regulation, local, state, federal, or otherwise, on, in, under or emitting from the Property, or for any other condition or defect on the Property.
- k. Timeframe – Respondents shall provide a project timeline.

I. Required Documents – Each proposal must include the following executed documents (See Appendix C):

- Lease Value Proposal Form
- Disclosure Statement
- Certificate of Non-Collusion
- Tax Compliance Certificate
- Statement of Beneficial Interest
- Certificate of Authority

**8) Design Objectives**

Through the design guidelines approved by Town Meeting for the Burrill Street Senior Center Planned Development District, attached hereto as Appendix D (the “Design Guidelines”), the Town has provided its design objectives for the Property. Accordingly it is the primary objective of the Town to balance its need to provide this community feature (cultural center) with its need to ensure that the rehabilitation of the Property be consistent with the Design Guidelines. It is the further objective of the Town to seek out “green” designs to the extent appropriate.

**9) Lease Agreement**

The respondent who is awarded the Project shall be required to enter a Lease Agreement (“Lease”) with the Town for the Property which agreement shall incorporate the terms and conditions of this RFP, and shall contain provisions customary to lease agreements under similar circumstances. The Lease shall be executed within ninety (90) days of the award of the Project. Further included shall be:

- a. The annual dollar amount of the lease;
- b. Requirements for a deposit which, with the proposal security, shall be equal to ten (10%) percent of the annual lease value;
- c. A clause stating that the use of the Property shall be restricted to a publicly-accessible, municipal cultural center;
- d. Proposed length of lease term (maximum of 30 years).



**10) Selection Criteria and Project Award**

Each proposal will be evaluated and scored based on the proposal's responsiveness to Town interests, including, but not limited to, the Design Guidelines, and other selection criteria as specified in Appendix A herewith. The statement of qualifications of each respondent will be reviewed and scored to identify those who possess the relevant experience, good standing in the industry, the financial stability and capacity to carry the Project to completion and meet the Town's design objectives and commitment to maintain the integrity of the neighborhood.

The respondent selected by the Town Administrator and Board of Selectmen will be given exclusive rights to negotiate with the Town the terms of the Lease and a Rehabilitation and Programming Plan. If, at any time, such negotiations are not proceeding to the satisfaction of the Town, in its sole discretion, then the Town may choose to terminate said negotiations. The Town may select another respondent with whom to initiate negotiations.

**11) Other Considerations**

- The Town will reserve the use of the entire upper floor several times during the year for community-sponsored events and projects.
- The Town shall not be responsible for paying any broker's commission, or like compensation to a third party, and the respondent agrees to indemnify and hold the Town harmless from any claims for such compensation.
- References may be checked for all parties identified as participating on the team.
- Respondents may submit more than one response to this RFP. However, each proposal to develop the property must be a separate, complete package that can be considered independently.
- The Town Administrator may amend or revise the RFP as a result of questions submitted by respondents or for any other reason that causes the Administrator to believe it would be in the best interests of the Town to do so. Such amendments or revisions will be sent prior to the proposal opening date to all persons or firms who have been provided copies of the RFP.
- The Town assumes no responsibility for delays caused by the U.S. Postal Service or any other delivery service. Late responses will not be accepted nor will additional time be granted to individual respondents unless the Administrator extends the required submittal date for all respondents.

- The Town will not be liable for any costs incurred by any respondents in the preparation and presentation of responses to this RFP or in the participation in views, interviews, negotiations or any other aspect of this RFP process.
- Respondents are responsible for errors and omissions in their responses, and any such errors and omissions will not serve to alter the respondent's legal obligations to the Town.
- This RFP and the responses, including all warranties, commitments and representations made in the successful response shall be binding and shall become contractual obligations to be incorporated by reference in the Town's agreement with the respondent, unless the Town in its sole discretion waives any such warranty, commitment or representation.
- The selection of a project team does not presume final approval of proposed plans. Submissions will be subject to the Town of Swampscott review process and all required approvals.
- Proposals may not be withdrawn, amended or modified for a period of one hundred eighty (180) days from the deadline for submission of proposals.

### **13) Questions**

Please direct all questions regarding this RFP to:

Thomas Younger, Town Administrator  
Swampscott Town Hall  
22 Monument Avenue  
Swampscott, MA 01907

### **14) Public Disclosure**

All proposal packages, their contents and accompanying documentation, no matter when submitted, will become the property of the Town and will be regarded as public records when received as directed by M.G.L. Chapter 4, Section 7, Clause 26. Respondents should be further aware that, with certain exceptions, the Town is required under M.G.L. Chapter 66 to make its records available for public inspection. Respondents should appropriately mark all materials they deem confidential or proprietary. However, the Town will bear no liability to any respondent in the event that the Town is legally required to disclose information that a respondent may define as confidential or proprietary.

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## Appendix A – Zoning Board of Appeals Decision on Petition 15-15

RECEIVED  
TOWN CLERK  
TOWN OF SWAMPSCOTT  
ZONING BOARD OF APPEALS DECISION  
2015 JUN 11 AM 11 41  
PETITION No. 15-15

Petitioner: Board of Selectman of the Town of Swampscott  
Property: 89 Burrill Street, Swampscott, MA  
Zoning District: PDD, Map 1 Lot 23  
Hearing Date: May 27, 2015

Pursuant to public notice published in The Daily Item May 13, 2015 and May 20, 2015, a Public Hearing was held on May 27, 2015 at the Swampscott Senior Center, 200 Essex Street, Swampscott, MA on the petition of the Board of Selectman of the Town of Swampscott for a Use Special Permit, pursuant to the Swampscott Zoning By-laws 3.2.4.0, to reopen the vacant Senior Center located at 89 Burrill Street for use as a Cultural Center, while re-establishing it as a municipal use under “Other Municipal Use”, with no modifications being made to the building except for access upgrades as required by the Commonwealth of Massachusetts and Town of Swampscott’s Building Codes. The Zoning Board of Appeals (“Board”) consisted of Marc Kornitsky, Esq., Daniel Doherty, Esq., Anthony Paprocki, Douglas Dubin and Harry I. Pass, Esq.

At the Public Hearing, the Petitioner was represented by Swampscott Town Planner Peter Kane and Chairperson of the Town of Swampscott’s Board of Selectman, Naomi Dreeben. Mr. Kane presented to the board that the property at 89 Burrill Street was previously used as a Senior Center with approximately six (6) off-street parking spaces. However, the Town of Swampscott constructed a new Senior Center at Swampscott High School and as such, the property at 89 Burrill Street has been vacant for the last 8 years. The town now wishes to convert this vacant building into a Municipal Cultural Center “to support and encourage the art community for the Town of Swampscott”, as well as to “bring new life and use to a very usable property”. According

to Mr. Kane's written proposal for conversion of old Senior Center into a Municipal Cultural Center, other goals of this proposal is to emphasize the connection between the commuter rail station and downtown area through a mix of uses and activities, as well as to build off of the current municipal mix in the area. Historically, the property was previously used as the Leon Abbott Legion Hall in the early 1900s to 1980 and a Senior Center from 1980 to 2007. The Town's objectives would include building a vibrant downtown with a mix of uses to attract people to other downtown areas and create events and activities for the downtown. Therefore, according to Mr. Kane's written proposal, a Municipal Cultural Center would achieve those goals.

Board Member Harry Pass inquired about the existing parking situation and how many spaces would be available for the proposed use, since many neighbors would be inconvenienced by events requiring the parking of many motor vehicles on the side streets. Mr. Kane argued that the Senior Center that was operated there for 27 years would have the same amount of cars as the proposed Cultural Center would require. Further, pursuant to Zoning By-law 3.2.4.0, the ZBA has the authority to make the parking determination regarding this petition.

Bob Dobias of 22 Thomas Rd. filed a written memorandum stating his opposition to the petition due to parking concerns and requested that any lease with an art center should require the tenant to fund all building renovations. Chairperson Dreeben spoke in favor of the petition, as did local artist Mark Sasha and local resident Barbara Gherzi, stating that the benefits to the town would greatly outweigh any negative consequences of the proposal.

After a motion was made to close the public hearing and duly seconded, the Public Hearing was closed. The Board, after a careful examination of all the evidence presented, made the following findings of fact:

1. The property located at 89 Burrill Street was previously used from 1980-2007 as a Swampscott Senior Center, and has been vacant for the past 8 years.

2. Previous to 1980, the property was used as the Leon Abbott Legion Hall.
3. The building currently has parking for six (6) cars, and the proposed use would also provide six (6) parking spaces.
4. Pursuant to Swampscott By-laws Section 3.2.4.0, the current parking is allowed for the prior and proposed uses. Any modifications to the existing building would be required by the Building Inspector and pursuant to all building codes and ordinances, with any building improvements and landscaping to be paid for and completed by the lease holder in accordance with any future lease of the premises by the Town of Swampscott.
5. The proposed use would achieve the town objectives of building a vibrant downtown with a mix of uses, to attract people to the downtown area while creating new events and activities, while bringing new life and use to a visible property that's been vacant for 8 years.
6. The benefits to the Town and neighborhood resulting from the Petitioner's proposal outweigh the adverse effects, taking into account the characteristics of the premises to the surrounding neighborhood and of the proposal in relation to the premises and the surrounding neighborhood.
7. The proposed use of the premises would not be substantially more detrimental than the existing use to the neighborhood and the desired relief may be granted without substantial detriment to the public good, without nullifying or substantially derogating from the intent or purpose of the Town of Swampscott By-Laws.

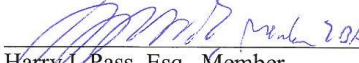
Therefore, the Swampscott Board of Appeals, upon motion made and seconded, by unanimous vote hereby GRANTS a USE SPECIAL PERMIT pursuant to Section 3.2.4.0, to reopen the vacant senior center at 89 Burrill Street and use it as a Municipal Cultural Center, and re-establishing 89 Burrill Street as a municipal use (under "Other Municipal Use"), subject to the following terms and conditions:

1. The above-noted findings of facts #1-7 inclusive;
2. The Petitioner and lease holder shall comply with all terms and conditions as set forth by the Town Building Inspector, and as required by the building code and ordinances;
3. The property shall be utilized as a Municipal Cultural Center;

4. No determination is made as to the amount of parking spaces. However, parking shall be used in a manner so as to minimize on-street parking;
5. If the Town of Swampscott Building Inspector so requires, any improvements to the property would require a further Special Permit from the ZBA.

Swampscott Zoning Board of Appeals

BY:

  
\_\_\_\_\_  
Harry I. Pass, Esq., Member  
June 1, 2015

## Appendix B – Selection Criteria for the Burrill Street Senior Center

The ranking of proposals shall be evaluated from **Most Advantageous** to **Least Advantageous** and the selection of the Respondent shall be based on criteria and requirements including, but not limited to, the following:

### 1. Community Benefits or Otherwise

The Town wishes to attain the highest possible community benefit for the property when converted and opened as a municipal cultural center. At the first such center in Swampscott to support the arts, a successful proposal will emphasize any and all benefits that may be achieved by the operation of this public facility.

- Most Advantageous – The proposal maximizes public benefits to the Town by having a positive impact on the Town and the neighborhood.
- Least Advantageous – Proposals that do not provide any demonstrable public benefits to the Town and the neighborhood.

### 2. Lease Value

While the Town wishes to maximize the community benefit of the property, it is also concerned with the property liabilities. The Town wishes to attain the highest possible lease value for the property in connection with a conversion proposal that is consistent with the intent and terms of this RFP.

- Most Advantageous – The highest lease value within the proposal with the fewest conditions attached thereto.
- Least Advantageous – Proposals with conditions potentially limiting the lease value that the Town will realize.

### 3. Qualifications

The Town wishes to lease the property to an operator with experience in projects of similar use, type and scale and with the financial capacity to complete the task.

- Most Advantageous – Extensive experience with similar projects.
- Least Advantageous – Limited or no experience with similar projects.

**4. Design Quality**

The conversion shall exhibit the highest levels of design creativity as well as sensitivity to the existing structure and the overall neighborhood context. The plans and elevations shall define the key design elements of the project and anticipated space programming.

- Most Advantageous – A creative design solution that maximizes the site’s use, preserves the important components of the existing structure, and enhances the overall neighborhood.
- Least Advantageous – Poor design that does not respond to the existing structure and neighborhood setting in a complementary and supportive manner.

**5. Financial Resources**

The Respondent demonstrates the financial capability to complete the task.

- Most Advantageous – A proposal that includes a positive, historical record of funding sources for projects of similar or larger value; including identification of the Respondent’s equity.
- Least Advantageous – A proposal that only identifies a funding commitment(s) for the lease of the Premises.

**6. Ability to Proceed**

The Town wishes to have the project permitted, the improvements completed and the building opened as a municipal cultural center as soon as possible.

- Most Advantageous – Proposals indicating the shortest reasonable timelines for the conversion of the property will be considered.
- Least Advantageous – Proposals needing longer time horizons for occupancy.

**7. Type of Use**

The Town wishes to have a public use(s) which complements the surrounding uses in the neighborhood.

- Most Advantageous – Proposals which clearly advance these objectives and make the reuse of the Senior Center site as an asset to the Town.
- Least Advantageous – Proposals which do not complement the municipal and residential uses in the surrounding neighborhood.



**8. Renovation of the Building**

The Town recognizes that the Senior Center is a unique building having a prominent location in this neighborhood, and historic architectural features. As such, the building provides the Town with a significant opportunity to capitalize on its social development potential through its renovation. Therefore, the Town is concerned about the types of alterations proposed for the exterior of the building as well as the design to assure it is complementary to the historic character of the building.

- Most Advantageous – Proposals which preserve the historic character of the building and are complementary to it and consistent with the neighborhood.
- Least Advantageous – Proposals which include alterations to the character of the building or are not complementary or consistent with the neighborhood.

**9. Qualifications and Experience of the Respondent**

The Town requires evidence of the ability of the Respondent to commence substantive permitting work upon award of the lease, including preparation of drawings and plans, and the ability to accomplish the renovation and subsequent opening and operating of the Property as a municipal cultural center.

- Most Advantageous – Demonstrated ability of the Respondent to lead the development effort from predevelopment to operation, specifically with regard to maintaining compliance with all applicable regulatory constraints.
- Least Advantageous – Inability to demonstrate capacity to lead development effort and maintain compliance with all applicable regulatory constraints.

**10. Experience with the Arts**

The Town intends the conversion of the property to create and provide a cultural center for the community that supports and encourages the arts of culture of the Town.

- Most Advantageous – Multiple projects demonstrating experience with the arts or other forms of community culture.
- Least Advantageous – Few, if any, projects demonstrating experience with the arts or other forms of community culture.

## **Appendix C – Required Documents to be Filed with RFP**

1. Lease Value Form
2. Respondent Entity Disclosure Statement
3. Certificate of Non-Collusion
4. Tax Compliance Certificate
5. Disclosure of Beneficial Interests in Real Property Transaction
6. Certificate of Authority

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## Lease Value Form

### LEASE

*Please write your annual lease proposal offer:*

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Print/Type your lease amount above in written form

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Print/Type your lease amount above in number form

**Note:** *Both the written form and the number form should indicate the same total amount. If there is a conflict between the written form and the number form amounts, the written form will control.*

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Name of Respondent

---

Name of person signing proposal

---

Signature of person signing proposal

Date

---

Title

---

Address

---

City

State

Zip Code

## Respondent Entity Disclosure Statement

Give full names and residences of all persons and parties interested in the foregoing proposal:

(Notice: Give first and last name in full; in case of a corporation, give names of President and Treasurer; in case of a limited liability company, give names of the individual members, and, if applicable, the names of all managers; in case of a partnership or a limited partnership, all partners, general and limited and; in case of a trust, all the trustees)

NAME	ADDRESS	ZIP CODE
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Kindly furnish the following information regarding the Respondent:

**1) IF A PROPRIETORSHIP**

Name of Owner: \_\_\_\_\_

	ADDRESS	ZIP CODE	TELE #
Business:	_____	_____	_____
Home:	_____	_____	_____

**2) IF A PARTNERSHIP**

BUSINESS ADDRESS	ZIP CODE	TELE #
_____	_____	_____

PARTNER NAME	ADDRESS	ZIP CODE
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**3) IF A CORPORATION**

Full Legal Name: \_\_\_\_\_

State of Incorporation: \_\_\_\_\_

Principal Place of Business	ZIP CODE	TELE #
_____	_____	_____

Qualified in Massachusetts: Yes \_\_\_\_\_ No \_\_\_\_\_

Place of Business in Massachusetts	ZIP CODE	TELE #
_____	_____	_____

Admitted in Massachusetts: Yes \_\_\_\_\_ No \_\_\_\_\_

Place of Business in Massachusetts	ZIP CODE	TELE #
_____	_____	_____

**4) IF A LIMITED LIABILITY COMPANY**

Full Legal Name: \_\_\_\_\_

State of Formation: \_\_\_\_\_

Principal Place of Business	ZIP CODE	TELE #
_____	_____	_____

Qualified in Massachusetts: Yes \_\_\_\_\_ No \_\_\_\_\_

Place of Business in Massachusetts	ZIP CODE	TELE #
_____	_____	_____

Admitted in Massachusetts: Yes \_\_\_\_\_ No \_\_\_\_\_

Place of Business in Massachusetts	ZIP CODE	TELE #
_____	_____	_____

**5) IF A TRUST**

Full Legal Name: \_\_\_\_\_

Recording Information: \_\_\_\_\_

State of Formation: \_\_\_\_\_

Full names and address of all trustees:

NAME	ADDRESS	ZIP CODE
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Authorized Signature of Proponent: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**(Note: This form must be included in the proposal submission)**

**Certificate of Non-Collusion**

Under Massachusetts General Laws Ch. 30B, Section 10, the following Certification must be provided:

“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.”

(Please Print)

---

Name of person signing proposal

---

Signature of person signing proposal

Date

---

Title

---

Address

---

City

State

Zip Code

**No award will be made without certification of the above.**

**(Note: This form must be included in the proposal submission)**

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## Certificate of Tax Compliance

STATE LAW MANDATES THAT TO DO BUSINESS WITH THE TOWN OF SWAMPSCOTT the Massachusetts Revenue Enforcement and Protection Program of 1983 requires that the following be supplied with your bid:

Date: \_\_\_\_\_

Pursuant to Mass. G.L. Ch. 62C, Section 49A, I Certify Under the Penalties of Perjury That I, To My Best Knowledge and Belief, Have Filed All Mass. State Tax Returns and Paid ALL Mass. State and Town Taxes Required under Law.

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Town or City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Fax Number

\_\_\_\_\_  
Social Security Number **OR** Federal Identification Number

Certified by State Office of Minority and Women Business Association (SOMWBA)

Yes \_\_\_\_\_ Date of Certification \_\_\_\_\_

Failure to complete this form may result in rejection of bid and/or removal from Town Bid Lists.

\_\_\_\_\_  
Authorized Signature

**(Note: This form must be included in the proposal submission)**



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## Disclosure of Beneficial Interest 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 Division of Capital Asset Management, as required by M.G.L. Ch. 7, Section 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 (as defined in G.L. Ch. 7, Section 39A) involved in this transaction:

Town of Swampscott, Massachusetts

2. Complete legal description of the interest in real property: See Exhibit A

3. Type of Transaction:    ☐ Sale                      ☒ Lease or rental for [term]

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

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
_____	_____
_____	_____
_____	_____
_____	_____

None of the persons listed in this section is an official elected to public office in the Commonwealth of Massachusetts, or is an employee of the Division of Capital Asset Management and Maintenance, except as noted below:

Name

Title or Position

_____	_____
_____	_____

6. This section must be signed by the individual(s) or organization(s) entering into this real property transaction with the public agency name 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 additions to item 5 of this form during the term of any lease or rental will require filing a new disclosure with the Division of Capital Asset Management 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.

Dated: \_\_\_\_\_

Exhibit A

A certain parcel of land, with any improvements thereon, located in the Town of Swampscott, County of Essex, Commonwealth of Massachusetts, and bounded and described as follows:

Southwesterly by Burrill Street eighty two (82) feet;

Northwesterly by land now or formerly of Hawes and Dearborn, now or formerly of Gard, one hundred and fifteen (115) feet;

Northeasterly by land now or formerly of Stanley, now or formerly of Wood, eighty two (82) feet;

Southeasterly by Thomas Road, one hundred and eleven (111) feet.

Be said measurements more or less.

Excluding that parcel of land conveyed by the Leon E. Abbott Post 57, American Legion Building Association, to Thomas P. Gard and Stella R. Gard, by deed dated December 27, 1926, recorded with the Essex South District Registry of Deeds in Book 2707, Page 276.

Meaning and intending to convey all those premises described in a deed from the Leon E. Abbott Post 57, to the Town of Swampscott, dated July 19, 2011, recorded with the Essex South District Registry of Deeds in Book 30534, Page 268.

**Certificate of Authority**  
**(To be used by corporations and limited liability companies)**

At a duly authorized meeting of the Board of Directors/Members of

\_\_\_\_\_, held on \_\_\_\_\_,  
(Name of Corporation/Limited Liability Company) (Date)

it was VOTED that \_\_\_\_\_,  
(Name) (Title)

of this corporation/company, be and hereby is authorized to execute proposals, contracts and bonds in the name of said corporation/company, and to affix its seal thereto; and such execution of any proposal, contract or obligation in this corporation's/company's name on its behalf by such office under seal of the corporation/company, shall be valid and binding upon the corporation/company.

I hereby certify that I am the secretary/authorized representative of the above named corporation/company and \_\_\_\_\_ is the duly elected officer  
(Name)

as stated above of said corporation/company, and that the above vote has not been amended or rescinded and remains in full force and effect as of the date of this proposal.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Secretary)

Seal:

## Appendix D – Design Guidelines

The building's historical character should be maintained through renovations so that the structure continues to contribute to the charm of the neighborhood.

### Key Points:

- The existing historical building is to be retained. No character-changing alterations to the building's exterior will be allowed.
- Appropriate restoration of the historical details of the building is encouraged, in particular of the windows and doors, cornice, roof, chimney, and front porch and deck details. Combination storm doors and windows are acceptable and encouraged for energy savings.
- The modern one-story addition at the rear may be demolished.
- Exterior siding shall be restored, repaired, or replaced with similar materials. No vinyl siding will be allowed.
- A new window may be installed in the front façade for the attic.
- The site should be landscaped appropriately, incorporating outdoor spaces for the public to utilize in relation to the cultural center programming.
- Existing public utility connections shall be maintained/improved.
- Outdoor lighting fixtures shall be designed with a full cut-off and follow "dark skies" principles to ensure that no light will shed across property lines.