

# TOWN OF WINCHESTER



## PUBLIC MEETING NOTICE and AGENDA

### REMOTE PARTICIPATION

(Due to State of Emergency COVID-19)

Board/Committee Name: **Select Board/Planning Board Joint Meeting**

Date: **Monday, June 22, 2020**

Time: **8:30 AM**

Place: **Remote Participation**

Submitted by: Patty Mihelich

Email: [pmihelich@winchester.us](mailto:pmihelich@winchester.us)

Agenda: **1. Waterfield RFP**

Join Zoom Meeting

<https://us02web.zoom.us/j/86994102152?pwd=TXFHelR5SXRpbkY4bVpNdVZsL09kZz09>

Meeting ID: 869 9410 2152

Password: 605304

One tap mobile

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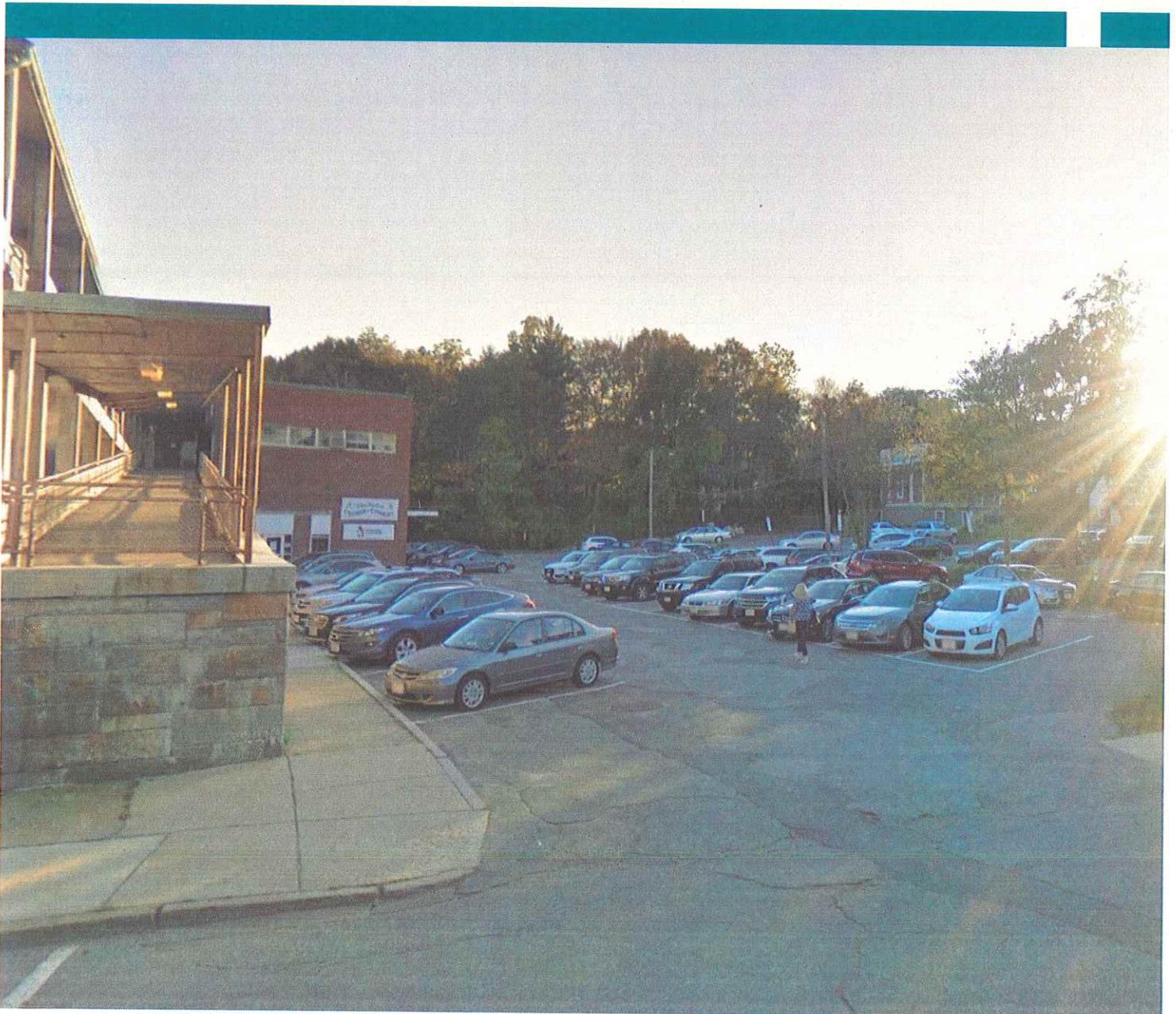
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# REQUEST FOR PROPOSALS FOR SELECTION OF DEVELOPER

**Waterfield Lot • Town of Winchester**

Draft: June 17, 2020



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The Town of Winchester makes no representations or warranties, express or implied, as to the accuracy and/or completeness of the information provided in this RFP. This RFP, including all attachments and supplements is made subject to errors, additions, omissions, withdrawal without prior notice, and different interpretations of laws and regulation. The proposer assumes all risk in connection with the use of the information, and releases the Town of Winchester from any liability in connection with the use of the information provided by the Town of Winchester. Further, the Town of Winchester makes no representation or warranty with respect to the Property, including without limitation, the value, quality or character of the Property or its fitness or suitability for any particular use and/or the physical and environmental condition of the Property. The Property will be leased in “AS-IS” condition.

# SECTION 1. Waterfield Site

## Introduction

The Town of Winchester, Massachusetts, a mature suburban town located eight miles northwest of Boston, is issuing this Request for Proposals (“the RFP”) to pre-selected developers and developer teams (“the Developer”) for the development of a town-owned parking lot in Winchester Town Center.

The property encompasses just under one acre of downtown space. The site provides the opportunity for residential, mixed-income development, with a potential non-residential component. The redevelopment of this property presents an opportunity to enhance the economic vitality of Winchester’s Town Center and provide housing options, including affordable housing, to help meet the town’s documented need.

The Town, per MGL c. 30B §16, will evaluate proposals from pre-qualified developers, selected based on the Request for Qualifications (RFQ), to determine the most advantageous development plan for the site, as determined by the selection criteria defined in this RFP. The selected Developer will then enter into a Land Disposition Agreement with the Town for the property.

Specifically, the Town’s objective is for the redevelopment of the Town-owned property called the Waterfield Parking Lot (the “Property”), located on Waterfield Street, for the purpose of creating mixed-income housing units, which may or may not include a non-residential component. The subject Property is currently used as a public parking lot with a two-story masonry building that would be demolished/redeveloped. At least 25 percent of the housing units shall be eligible for inclusion in the state’s Subsidized Housing Inventory. Per a 2018 Massachusetts Housing Partnership feasibility analysis, one rough concept estimated a yield of 58 residential units on the Property.

The Town (subject to approval by the Massachusetts State Legislature of a home rule petition) intends to enter a long-term (99-year) lease with the selected proposer (the “Developer”), whereby the Developer shall be responsible for the construction, redevelopment, operation, and possible operation of a public parking area. Note, state public bidding requirements may be triggered for construction of public parking and access replacement.

The lease of the Property is contingent on the satisfaction of the conditions that will be specified in a Land Development Agreement (“LDA”) to be entered into by the Town and the Developer. **The Town will select a Developer with demonstrated experience and capacity to develop affordable housing, and with the most advantageous development concept that addresses the needs and goals of the Town of Winchester. Details regarding Developer capacity, the Property, and the development guidelines are incorporated in this RFP.**

To respond to this RFP, submit ten (10) bound hard copies and a USB flash drive with files in PDF format on or before 12:00pm on 8/31/2020, at which time and place the responses will be reviewed and recorded. Responses submitted after this time will not be accepted.



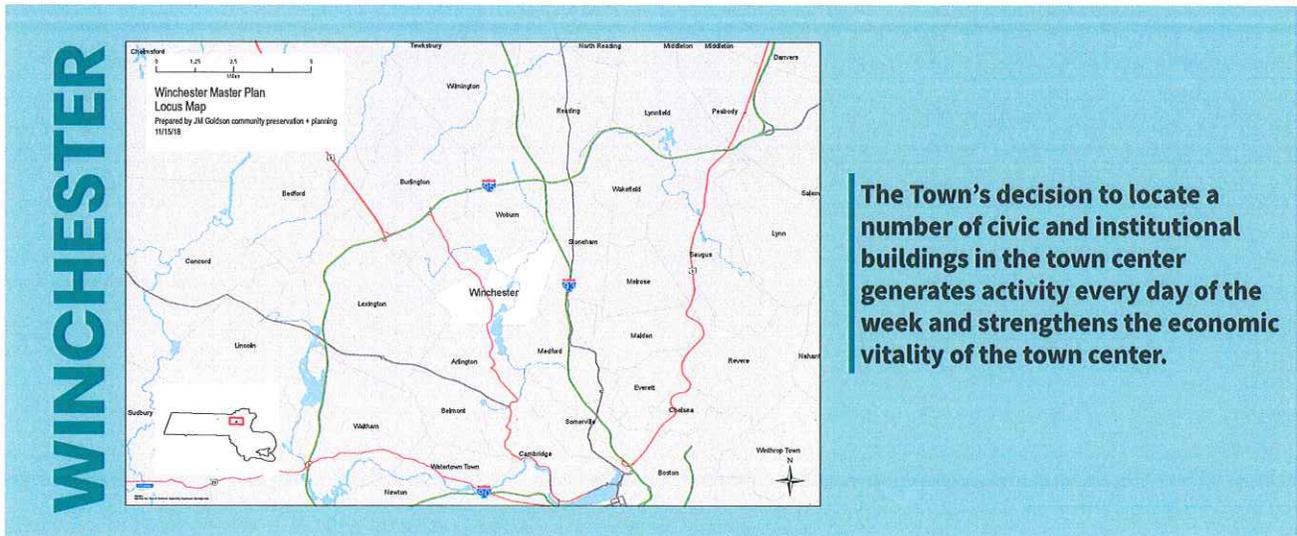
Responses shall be marked "Waterfield Property Development Proposal" and must include all required documents. Faxed or electronically mailed (e-mailed) proposals will be deemed non-responsive and will not be accepted.

The Town has determined that this RFP is subject to the Uniform Procurement Act, M.G.L. c. 30B. Therefore, the provisions of M.G.L. c. 30B are incorporated herein by reference.

Responses to this RFP must include all required documents, completed and signed per the attached forms included in the bid package. The Town reserves the right to reject any or all responses or to cancel this RFP if it is in the Town's best interest.

### Important Dates

- RFP available  
July 1, 2020
- Pre-bid meeting  
July 2020
- RFP Questions due  
August 2020
- Responses to RFP due  
August 31, 2020



## Redevelopment Phasing and Timing

The eight development teams that were pre-qualified as a result of the RFQ process are invited by the Town to prepare proposals for the redevelopment of the property. Once a preferred developer for the site has been selected by the Town, both parties will enter into a Land Disposition Agreement (LDA). The LDA will establish the parameters of the project as well as its terms and conditions.

In all instances, the selected Developer should be responsible for performing due diligence, design, redeveloping the property per the proposal, securing zoning approvals, securing all permits, submitting regular progress reports to the Town, coordinating community dialogue, securing needed financing/subsidies, and adhering to the project schedule in order to ensure these new housing units are available as soon as possible.

## Town's Redevelopment Objectives for the Site

The Town objectives for the subject Property are for multi-family residential, affordable/mixed-income development of rental units, and could include a non-residential component as part of a mixed-use development. The Waterfield Block is an important strategic location adjacent to the train station, but is underused. It is currently a Town-owned commuter rail parking lot that services some town center employees/visitors, and delivery trucks for commercial businesses in town center. The Town-owned building on the site is currently occupied only by the Winchester Chamber of Commerce, and **the Town expects the developer to either reuse the structure or take responsibility for its demolition as part of the redevelopment project.**

The Town has been planning to redevelop this block for many years and this objective is incorporated in studies and key policy and regulatory documents. Examples of previous conceptual designs for the site are provided in the appendix.

## MIXED-INCOME HOUSING

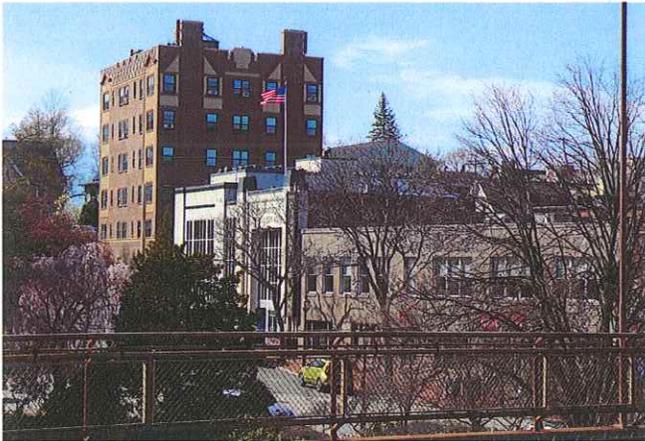
Consistent with the use of town-owned land, the recently adopted Master Plan, and the Town of Winchester's Housing Production Plan, the town has a strong preference that a residential component for development of the Waterfield Lot consist of rental as opposed to condominium housing units, and that the majority of the housing be restricted for occupancy by households covering a mix of incomes ranging from 30 to 120 percent of the Boston Area Median Income (AMI). Further, at least 25 percent of the housing units should serve households earning no more than 80 percent of the Boston AMI, with 10 percent of the housing units containing three bedrooms, so that all of the housing units will be eligible to be included in the town's Subsidized Housing Inventory (SHI).

## SUSTAINABILITY AND MITIGATION

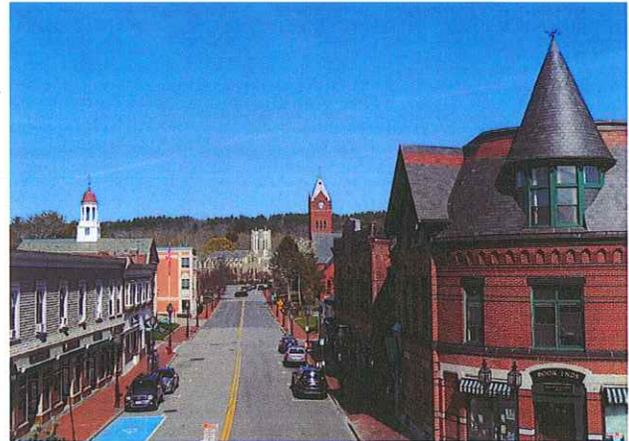
The Town of Winchester recently updated the town's Climate Action Plan, one element of which focuses on buildings. The objective is that the redevelopment of the Waterfield parcel serve as an example, demonstrating collaborative leadership by the developer and the Town in reducing carbon emissions and increasing building resiliency and sustainability. To accomplish this, any development proposed for this parcel should incorporate leading edge measures directed at significantly minimizing, if not eliminating, the use of fossil fuels and the associated carbon emissions by requiring all-electric construction (e.g. heat pumps instead of gas heating); as well as incorporating additional non-energy considerations to achieve building resiliency.

## DESIGN CONSIDERATIONS

The Waterfield Lot is prominently located in Town Center, immediately adjacent to the train station, and across the street from the Town Common. For this reason, it is imperative that the building design and site layout integrate thoughtfully with the surrounding neighborhood. The architectural and historical character of the area demand careful consideration of the scale and style of the structure, particularly in the context of existing buildings. Stetson Hall (shown below, behind the Winchester Cooperative Bank) is an example of a taller multifamily residential building located in the Town Center.



Winchester Cooperative Bank (Church Street)



Winchester Town Center (looking down Mt. Vernon Street)

In addition, it will be important to ensure that the site provides some amenities for people visiting the Town Center, connects well to existing and planned pedestrian and bicycle infrastructure, and maintains access for neighboring businesses to accept deliveries. The development proposal should provide details on how the site layout will address parking availability and circulation, existing easements (information provided on the following page and in the appendix), surrounding buildings, and connections to the Commuter Rail station and the rest of Town Center.

The Town will be hiring an external design consultant to work with the selected Developer to incorporate feedback from members of the community and Town boards and commissions on the site layout, parking, and architecture of the proposed building.

## The Development Site

### Addresses / Parcel IDs:

25-27 Waterfield Road / 9 148 0  
0 Waterfield Road / 9 175 0  
0 Waterfield Road / 9 150 0

**Acreage:** +/- 0.98 acres (+/- 43,389 s.f. as recorded)

**Existing Improvements:** Paved parking lot and a two-story masonry building that currently houses the Winchester Chamber of Commerce.

**Zoning District:** CBD (Town Common area)

**Owner:** Town of Winchester

### Abutting Parcels:

To the North:

- Waterfield Road right-of-way
- 0 Waterfield Road / 9 147 0 (abandoned parcel, in process of being taken by Town)
- 22-28 Church Street / 9 151 0 (private retail, includes existing easement for lot access)

To the East:

- MBTA Commuter Rail right-of-way

To the South:

- 0 Waterfield Road / 9 149 0 (MBTA signal tower)
- 6 Rangely Road / 16 304 0 (private residential)

To the West:

- 32-36 Church Street / 9 152 0 (private retail)
- 38 Church Street (private retail / residential)
- 40 Church Street (private retail / residential)



Waterfield Lot entrance (source: Google Street View, October 2017)

## Key Development Constraints

- MWRA (MDC) easement for sewer line; restrictions should be discussed with MWRA directly
- MBTA Commuter Rail station construction work (expected to begin late 2020 or early 2021)
- MBTA signal tower (must maintain access)
- Site change in elevation approx. 5 ft.
- Legally abandoned section, the Town is working with legal counsel to determine appropriate next steps
- Easement northwest corner (private Waterfield Realty trust) limits access
- Possible water table issue

Source: Susan Connelly, Massachusetts Housing Partnership, *Town of Winchester - Waterfield Road* Presentation Slides, July 10, 2018, based on assessment by J. Peznola, Hancock Engineering



# SECTION 2. Request for Proposals

## Terms of Lease

The Town anticipates entering into a long-term (99 year) lease which shall be attached to a Land Disposition Agreement (LDA) as an exhibit. The term of the lease is subject to the state legislature's approval of a home rule petition, and other provisions of the lease will be negotiated as part of Town Meeting in Fall 2020.

## Selection Process

The Town's Select Board, with the assistance of Town staff, will review and evaluate all proposals that have been received by the submission deadline based on the criteria outlined herein. Evaluation of the proposals will be based on the information provided in the proposers' submission in accordance with the submission requirements of this RFP and any interviews, references, and additional information requested and/or gathered by the committee.

Because the eight Developer teams invited to submit proposals for the Waterfield Lot have already participated in the Request for Qualifications process, previously submitted information will be considered in the proposal evaluation. It is not necessary to repeat details of the team's qualifications and previous project work in the response to this RFP, unless the composition of the team has changed or additional project work would highlight qualifications that respond to the criteria in this document. **Additionally, if your team's RFQ response did not fully identify the team composition, then this information will be required to comply with the minimum threshold criteria per this RFP.** The proposals will first be reviewed to determine compliance with the minimum threshold criteria described on page 13. All teams meeting the minimum threshold criteria will then be rated using the Comparative Evaluation Criteria. Any team not meeting the minimum threshold criteria will not be considered further. Responses that comply with the minimum threshold criteria will then be assigned one of the following ratings for each of the Comparative Evaluation Criteria: Highly Advantageous, Advantageous, and Not Advantageous. Final scores for each proposal will be calculated based on the relative importance of the criteria, summarized in the Developer Selection Criteria section of this document, and will combine the ratings assigned by members of the Select Board.

Developers that submit proposals with minor discrepancies related to the required contents and submission criteria may be asked to submit additional information at the Town's sole discretion. The Town reserves the right to reject any or all responses or to cancel this RFP if it is in the Town's best interest.

### RULE FOR AWARD

Based on the combined scores for the Comparative Evaluation Criteria, it is anticipated that up to four (4) developers will be selected for the next phase of evaluation. These selected developers will be invited to participate in an interview process led by the Town's Select Board. The interviews will be conducted as public meetings, with other Town boards, commissions, and staff invited to attend and provide input to the Select Board. Developers will be expected to participate in an interview process, during which they will be asked to provide a presentation and participate in a question and answer session to further evaluate their development proposal for the Waterfield Lot. Following this process, the Town may choose to enter into negotiations with the developer that is determined to have the most advantageous proposal, as determined by the evaluation criteria and results of the interview process.

## Request for Proposals

The following are the terms and conditions of the Request for Proposals (RFP). The prospective Developer team responding to this RFP shall be led by a firm or individual who is proposing to enter into a real property transaction with the Town for the project. Responses must also identify members of the proposed design team that would be responsible for creating the plan for the redevelopment. Designers may include urban designers, architects, landscape architects, and engineers. Designers must hold all required registrations in the Commonwealth of Massachusetts to perform the work proposed.

### Project Coordinator

Brian Szekely, Town Planner of the Town of Winchester, will act as the project coordinator between the Developer and the Town. Inquiries and correspondence shall be directed to:

**Brian Szekely**  
**Planning Board Office, 71 Mt. Vernon St, Winchester, MA 01890**  
**Email: [bszekely@winchester.us](mailto:bszekely@winchester.us)**

### RFP Availability

Copies of the RFP are available beginning on July 1, 2020. The RFP may only be obtained directly from the Town, so that any addenda and notices can be distributed to all interested parties. Responses submitted by firms that have not been preselected through the RFQ process will not be accepted.

### Questions and Answers

Questions must be submitted in writing only via mail or email and received no later than at 12:00pm Eastern Time on July 21, 2020. Telephone or in-person questions will not be accepted. All answers and questions will be provided in writing to all parties who have obtained copies of this RFP as addenda to the RFP.

### Pre-Submission Meeting

There will be a pre-submission meeting held by web conference on Zoom on Tuesday, August 4, 2020 from 10:00am to 12:00pm. All interested parties are invited to attend. Representative(s) from the Town will be available to address any additional questions following the in-office meeting. The Zoom meeting can be accessed by computer or phone, using the connection details below:

**Join Zoom Meeting:** <https://us02web.zoom.us/j/81087619078?pwd=ZU4zU2xDaVoyZmFPeEd2RFIKRUUVGQT09>  
**Dial by phone:** (929) 205-6099  
**Meeting ID:** 810 8761 9078, **Password:** 539035

### Cost Liability and Revisions to the RFP

The Town assumes no responsibility and no liability for costs incurred relevant to the preparation of responses to this RFP by prospective Developer teams. In the event it becomes necessary to revise any part of this RFP, revisions will be provided to all who received the RFP. The Town shall bear no responsibility or liability due to copies of revisions lost in mailing or not delivered to a prospective Developer due to unforeseen circumstances.

### Response Date

In order to be considered for selection, signed responses to this RFP should arrive at the Town, directed to the attention of the Lisa Wong, Town Manager on or before 12:00PM Eastern Time on August 31, 2020. Prospective Developers mailing responses should allow for normal mail delivery time to ensure timely receipt of their proposals.

No exceptions to this deadline will be made for weather, poor courier service, transportation problems, or any other reason, unless issued by formal addendum from the issuing authority. All responses submitted to the Town shall become the property of the Town.

In order to be considered for selection, prospective developers should submit a complete response to the RFP.

**Submit by mail ten (10) bound hard copies and a USB flash drive with files in PDF format to the attention of the Town Manager.** The prospective Developer shall make no other distribution of the responses. Responses shall be marked "Waterfield Property Redevelopment Proposal" and must include all required documents. Faxed or electronically mailed (e-mailed) proposals will be deemed non-responsive and will not be accepted.

# SECTION 3. Submission Criteria

## Required Response Submission Content

Proposal submissions shall include a complete description of the Development Concept for the Waterfield Lot, indicating how the Developer team will address the Town's objectives for the Property, and documenting how the team's prior experience and proposed approach would be Highly Advantageous as defined by the Comparative Evaluation Criteria. The Town requires that each prospective Developer follow the guidelines for response format and content so that the evaluation and selection process can occur in an orderly, timely, and equitable manner.

The response must include the following items in the following order and identified by the number listed below:

### 1. THE DEVELOPER

The proposal must include an updated description of the developer team, if there has been any change in the composition of the team that was presented in the response to the RFQ, or the response did not identify all members of the team.

Proposals must also include:

- a. The name, address, e-mail address, and telephone number of the proposer, the name of any representative authorized to act on his/her/its behalf, the name and contact information of the person to which all correspondence should be addressed, and the names and primary responsibilities of each individual on the development team.
- b. If the proposer is not an individual doing business under his/her name, a description of the firm and status of the organization (e.g. whether a for-profit, not-for-profit or charitable institution, a general or limited partnership, a corporation, LLC, LLP, business association, or joint venture), and the jurisdictions in which it is registered to do business. If the proposer is a non-profit, please include a list of the organization's Board of Directors and areas of expertise they represent.
- c. The nature of the entity to enter into the Land Disposition Agreement for the Property, and the borrower and guarantors of debt, if any.
- d. Identification of all principals, partners, co-venturers or sub-developers participating in the transaction, and the nature and share of participants' ownership in the project.
- e. Discussion of whether the Property developer will also be the property manager and if this is not the case, the legal and financial relationship between the entities. If the developer will not be the property manager, the proposer shall describe the process for securing property management services.
- f. Identification of the development team, such as architects, engineers, landscape designers, contractor, development consultants. Background information, including firm resumes and resumes for principals and employees expected to be assigned to the project, should be provided (if not already included in the RFQ submission).
- g. A description demonstrating the extent to which the members of the developer team have successfully worked together on development projects of a similar scope to the proposed development including completed projects of similar size, total cost, and affordability levels.
- h. For each similar project identified, provide project name, location, project type, start date, projected completion date and actual date of completion, total development costs and key project people. Also indicate the total number of units, number of affordable and accessible units, 1, 2, and 3 bedroom units, rental vs. condo, and whether they are currently managed by the developer.
- i. Information regarding any past, pending or threatened legal or administrative actions that could relate to the conduct of the Proposer, its principals, or any affiliates.
- j. Confirmation that no local, state or federal taxes are due and outstanding for the development team or any constituent thereof.
- k. Provision of references for three completed projects, with contact names, titles, and current telephone numbers, who can provide information to the Select Board concerning the Proposer's experience with similar projects.

## 2. DEVELOPMENT CONCEPT NARRATIVE

The proposal must include a detailed description of the development concept for the property and its improvements, including but not limited to:

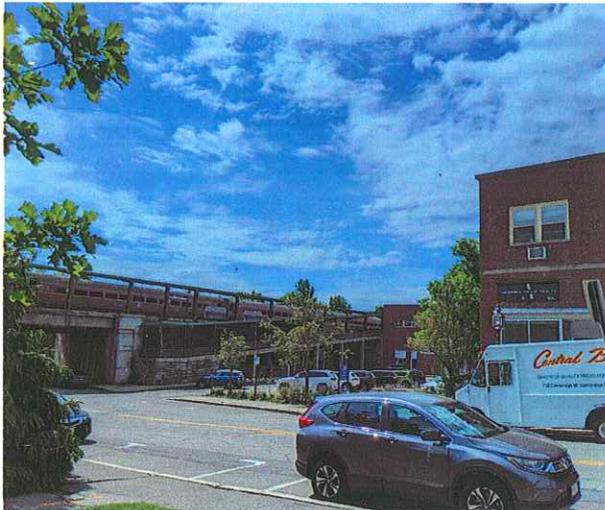
- a. Details on the proposed housing units, affordability levels, and accessibility, including the following information:
  - A preliminary estimate of the total number of housing units to be provided
  - The type of housing to be provided; rental vs. condominium ownership
  - The proposed distribution of housing units by floor area size and number of bedrooms
  - The distribution of income levels to be served, expressed as a percentage of the Boston AMI, including the percentage of housing units that will be priced at a market rate
  - The number of units that will be accessible to people with mobility impairments, and the number of units that will be accessible to people with hearing or visual impairments.
- b. Discussion of the physical plan and architectural character of the project and the various programmatic and physical elements of the development, including building scale, specifically total height and lot coverage. The following questions should be addressed in the proposal narrative and renderings:
  - What will be done with the Town-owned Chamber of Commerce building?
  - How will the existing easements influence the site layout?
  - What measures will be taken to ensure that neighboring businesses retain access for deliveries?
  - How will vehicle traffic enter, exit, and circulate within the site?
  - Where will walkways and public amenities be located on the site?
  - Will there be any active uses (commercial, cultural, etc.) on the ground floor of the building?
  - How will people access the train station and Town Common from the site?
  - What exterior materials and architectural details will be used and how will they integrate with Town Center?
  - How does your proposal consider the redesign concept plan for Winchester's Town Center? (see Appendix)
  - What provisions will be made to ensure accessibility of housing units and common areas, in compliance with State and Federal requirements?
- c. Description of all environmental sustainability and climate change mitigation features (and the team's relevant experience) of the building design and operating systems, including measures to:
  - Significantly minimize, if not eliminate the use of fossil fuels and the associated greenhouse gas emissions (through measures such as heat pumps, on-site solar power generation, and features to promote the use of non-motorized transportation), and efficiently manage waste and water resources
  - Experience of the architect in designing, and the developer in implementing, such approaches
  - Description of specific features that would qualify the building for certification through a program such as LEED Gold or Platinum, Passive House, Enterprise Green Communities, etc.
- d. Construction staging plan and discussion of construction impacts, including but not limited to how the project will be managed to limit impact on neighbors - in particular noise and traffic during the construction period;
- e. Discussion of how the Developer will address existing site constraints, including the MWRA easement, MBTA construction, and parking and abutter access issues related to the current easement on property owned by the Waterfield Realty Trust. Questions regarding the MWRA easement can be directed to: [Kevin.McKenna@mwra.com](mailto:Kevin.McKenna@mwra.com);
- f. Description of how parking on the site will be accessed, and how abutters will maintain access for deliveries and drop-offs at the rear of the neighboring businesses;
- g. Details on potential impacts on traffic associated with the proposed development, including mitigation measures, and proposals to improve bicycle and pedestrian connectivity around the site, including an assessment of the feasibility of providing pedestrian access to the Town Common;
- h. Project financing
  - Sources and uses of funds
  - Construction estimate
  - For rental: 20-year operating Pro-Forma
  - For condominiums: First-year condo budget
  - Pre-development budget
  - For Tax Credit projects: tax credit calculation
  - Evidence of developer's financial capacity to cover equity requirements

- Pre-commitment letter(s) or letter(s) of interest from construction and permanent lenders and investors (if proposing to use low income housing tax credits)
- i. Outline of the proposed terms of the Land Disposition Agreement, including the amount of any reimbursement that will be provided for the use of Town-owned land;

**3. CONCEPTUAL DESIGN DRAWINGS**

The proposal must include 11"x17" plans (scale: 1" = 20') including:

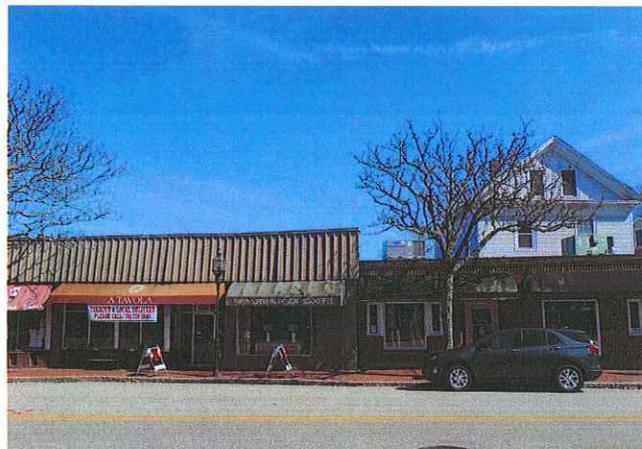
- a. Site plan that describes parking layout and numbers of parking spaces and building footprint;
- b. Landscape plan with sufficient detail on how the plan is integrated into the neighborhood and adjacent streetscape;
- c. Floor plans indicating location of affordable and market rate units;
- d. Elevations with material indications, and elevation view including entire Waterfield block;
- e. Typical unit plans (for affordable and market-rate units, demonstrating level of comparability).
- f. Concept project images showing the appearance of the building from three locations, specifically the Town Common, Laraway Road, and Church Street. Views must be shown from the point of view of a 5 1/2 foot tall person. Submission must include all three views provided in the images below, high resolution image files will be provided as an addendum.



View from Town Common



View from Laraway Road



View from Church Street

#### **4. MARKETING AND MANAGEMENT PLAN**

- a. Description of the target market, unit pricing (sales prices or rents) and the strategy for marketing and lottery process;
- b. A plan for the ongoing management of the development and any resident services that may be provided on site;
- c. For each management agent and service provider, whether affiliated with the Proposer or a third-party, include details on management/service experience including property types, number of units, familiarity with subsidy programs, key staff, and any other information deemed relevant to demonstrating capability;
- d. Lottery for Affordable Units: To ensure a fair and equitable selection process for the affordable units, whether rental or for-sale, a lottery shall be conducted for all of the affordable units. A marketing/lottery plan shall be required as part of the approval of the units as Local Action Units, and prior to building permit issuance. For the proposal, the Proposer shall indicate any other lotteries they have been involved in, their role and the outcomes.

At a minimum the selected Proposer and/or their Agent shall demonstrate the following:

- A clear understanding of tenant selection and fair housing requirements/laws;
- A clear understanding of local preference opportunities and requirements, and how the lottery will address these; and
- Experience with state standards related to determining, documenting, and maintaining program and unit eligibility – i.e. qualified buyers/renters.

#### **5. ZONING AND PERMITTING**

- a. Provide an overview of the expected approach to seeking zoning and permitting approvals, including land use, zoning, development, and environmental permits.

#### **6. IMPLEMENTATION PLAN AND TIMETABLE**

- a. Provide a description of how the development concept will be implemented, including:
  - a project schedule detailing key benchmarks for pre-development, permitting, construction, marketing and project occupancy
  - an outline of required land use, environmental, operational and other governmental or regulatory approvals, including land use, zoning, development and environmental permits

#### **7. REQUIRED FORMS (PROVIDED IN APPENDICES):**

- a. Certification of Tax Compliance, required under M.G.L. c. 62C, §49A, in which the proposer certifies that he or she has complied with all laws of the Commonwealth of Massachusetts relating to taxes;
- b. Certificate of Non-Collusion, required under G.L. c. 30B, §10, in which the proposer states that this proposal is made in good faith without fraud or collusion or connection with any other person submitting a proposal signed and dated by the proposer;
- c. Disclosure of Beneficial Interest Form, required under M.G.L. c. 7C, §38, in which the proposer identifies the parties who will have an interest in the Property and whether any such party is a state or local employee;
- d. Certificate of Authority, in which the proposer, if an entity, identifies the names and addresses of the managers, directors, officers, and/or other parties authorized to act on behalf of the entity.

## Developer Selection Criteria

All proposals submitted by the due date will be evaluated for conformance with the below stated minimum criteria. Those proposals that meet the minimum criteria will then be evaluated by the comparative criteria described below. Proposers may be invited for an interview and will be evaluated by the Select Board. The Select Board reserves the right to select the proposal that best meets the needs of the community, and that may not be the proposal that achieves the highest score.

### MINIMUM THRESHOLD CRITERIA

1. Developer must provide all information described in the Required Response Submission Content.
2. Developer must have a minimum of 5 years of experience in development of affordable housing.
3. Development proposal must include at least 25% of housing units affordable to households earning less than 80% of the Area Median Income.
4. Developer must show a successful track record of at least three projects of similar scope and scale as the proposal, including having completed projects of similar size, total cost, and affordability levels within the past ten years.
5. Developer must demonstrate financial capacity to cover at least two times the total pre-development budget.

### COMPARATIVE EVALUATION CRITERIA

Projects meeting the minimum criteria will then be judged on the following additional comparative evaluation criteria, which will be considered according to their relative importance to the Town, as indicated in parentheses. Multipliers will be used (4X, 3X, 2X, 1X) to assign weight to the score for each criteria. Proposals will be rated by combining the results of these weighted Comparative Evaluation Criteria scores, as determined by the Select Board.

Evaluation Criteria	Highly Advantageous (+2)	Advantageous (+1)	Not Advantageous (0)
<p><b>1. Development meets the Town's affordable/mixed-income housing objectives for the Waterfield Lot as stated in this RFP.</b> <b>Very High Importance - 4x</b></p>	<p>Proposal provides additional units, beyond the minimum threshold criteria, that are restricted for occupancy by households covering a mix of incomes ranging from 30 to 120 percent AMI. Total income-restricted units <b>exceed</b> 50 percent of total proposed units. All units are rental.</p>	<p>Proposal provides additional units, beyond the minimum threshold criteria, that are restricted for occupancy by households covering a mix of incomes ranging from 30 to 120 percent AMI. Total income-restricted units <b>do not exceed</b> 50 percent of total proposed units. All units are rental.</p>	<p>Proposal is only consistent with the minimum threshold criteria of this RFP (25 percent of units restricted as affordable to households at or below 80 percent AMI) and proposed housing is rental or condominiums.</p>
<p><b>2. Development concept narrative and drawings demonstrate thoughtful consideration of the Waterfield site and are appropriate in scale and style for Town Center and its status as a National Historic District.</b> <b>High Importance - 3x</b></p>	<p>The design of the new development complements the neighboring buildings, complies with design guidelines in the CBD zoning bylaw, and reinforces the historic character of Town Center.</p>	<p>The design of the new development generally complies with design guidelines in the CBD bylaw, but the style or site layout does not fully integrate with its surroundings or reinforce historic character.</p>	<p>The design of the new development does not comply with the CBD design guidelines, and is poorly-integrated with its surroundings.</p>
<p><b>3. Site layout integrates with the streetscape, the design of the new MBTA station, and existing limitations present on the site.</b> <b>High Importance - 3x</b></p>	<p>Layout shows careful consideration of the site and transitions well into the streetscape and the MBTA station. Includes reasonable approach to deal with the MWRA easement and the Chamber of Commerce building.</p>	<p>Layout shows adequate consideration of the site and transitions well into the streetscape and the MBTA station, but does not include a reasonable approach to deal with the MWRA easement and the Chamber of Commerce building.</p>	<p>Layout lacks recognition of the site limitations, and shows minimal effort to blend with the streetscape or the MBTA station.</p>

<p>4. Proposed design meets the sustainability objectives for the site as stated in this RFP. <b>High Importance - 3x</b></p>	<p>The proposed design fully meets the defined sustainability objectives for the Waterfield Lot.</p>	<p>The proposed design incorporates some, but not all, of the defined sustainability objectives for the Waterfield Lot.</p>	<p>The proposed design does not incorporate any of the defined sustainability objectives for the Waterfield Lot.</p>
<p>5. Proposal provides sufficient parking for building residents, and addresses the loss of public parking. <b>Medium Importance - 2x</b></p>	<p>Site design includes vehicle and bicycle parking for residents, and addresses the loss of public parking.</p>	<p>Site design incorporates vehicle and bicycle parking for residents, but does not address the loss of public parking</p>	<p>Site design lacks bicycle parking for residents and does not address the loss of public parking</p>
<p>6. Developer exhibits a willingness to work with the community and Town officials to refine the conceptual design. <b>Medium Importance - 2x</b></p>	<p>Developer provides descriptions of 2 to 3 previous instances of working with a community to develop land and demonstrates how specific conflicts were resolved with mutual satisfaction.</p>	<p>Developer provides at least one example of working with a community to develop land and demonstrates how specific conflicts were resolved with mutual satisfaction.</p>	<p>Developer does not demonstrate previous collaboration with communities to develop land or does not demonstrate how specific conflicts were resolved with mutual satisfaction.</p>
<p>7. Development project incorporates elements that enhance the Cultural District or provide other essential public amenities. <b>Medium Importance - 2x</b></p>	<p>Project design incorporates public art (e.g. sculptures, murals, rotating exhibits) and has other public amenities, such as a pocket park or benches.</p>	<p>Project design incorporates either public art (e.g. sculptures, murals, rotating exhibits) or has other public amenities, such as a pocket park or benches.</p>	<p>Project design does not include either public art or other public amenities.</p>
<p>8. Developer identifies anticipated traffic mitigation measures, including circulation and delivery access for abutters, and bicycle and pedestrian improvements. <b>Medium Importance - 2x</b></p>	<p>Developer provides an analysis of changes in traffic circulation and volume associated with the site and demonstrates commitment to mitigation measures including improvements to bicycle and pedestrian infrastructure, and areas for delivery and drop-off to abutters.</p>	<p>Developer provides an analysis of changes in traffic circulation and volume associated with the site but does not demonstrate commitment to mitigation measures including improvements to bicycle and pedestrian infrastructure or areas for delivery and drop-off to abutters.</p>	<p>Developer does not provide an analysis of changes in traffic circulation and volume associated with the site or provide a description of related improvements.</p>
<p>9. Developer outlines the proposed key terms of the land disposition and lease agreements. <b>Lower Importance - 1x</b></p>	<p>Developer outlines the proposed key terms of the land disposition and lease agreements.</p>	<p>Developer outlines the proposed key terms of the land disposition OR lease agreement (but not both).</p>	<p>Developer does not outline the proposed key terms of the land disposition or lease agreements.</p>
<p>10. Proposal includes an initial pre-development timeline, which specifies zoning, permitting, and financing milestones. <b>Lower Importance - 1x</b></p>	<p>Development proposal demonstrates high level of understanding of the permitting and financing process, and provides a reasonable estimate of the timing for each stage.</p>	<p>Development proposal demonstrates adequate level of understanding of the permitting and financing process and timeline.</p>	<p>Development proposal does not demonstrate adequate level of understanding of the permitting and financing process and timeline.</p>
<p>11. Development team includes details on their property management approach, including services to support low-income residents. <b>Lower Importance - 1x</b></p>	<p>Provides detailed narrative of their management proposal, including resident services.</p>	<p>Provides detailed narrative on management proposal but may not include any resident services.</p>	<p>Management approach is not detailed or is completely absent.</p>
<p>12. Developer specifies how noise, traffic, construction debris will be mitigated during the construction phase. <b>Lower Importance - 1x</b></p>	<p>Developer demonstrates high level of commitment to and understanding of best practices to mitigate construction impacts.</p>	<p>Developer demonstrates moderate commitment to and understanding of best practices to mitigate construction impacts.</p>	<p>Developer does not demonstrate commitment to or understanding of best practices to mitigate construction impacts.</p>

## Proposal Submission Terms and Requirements

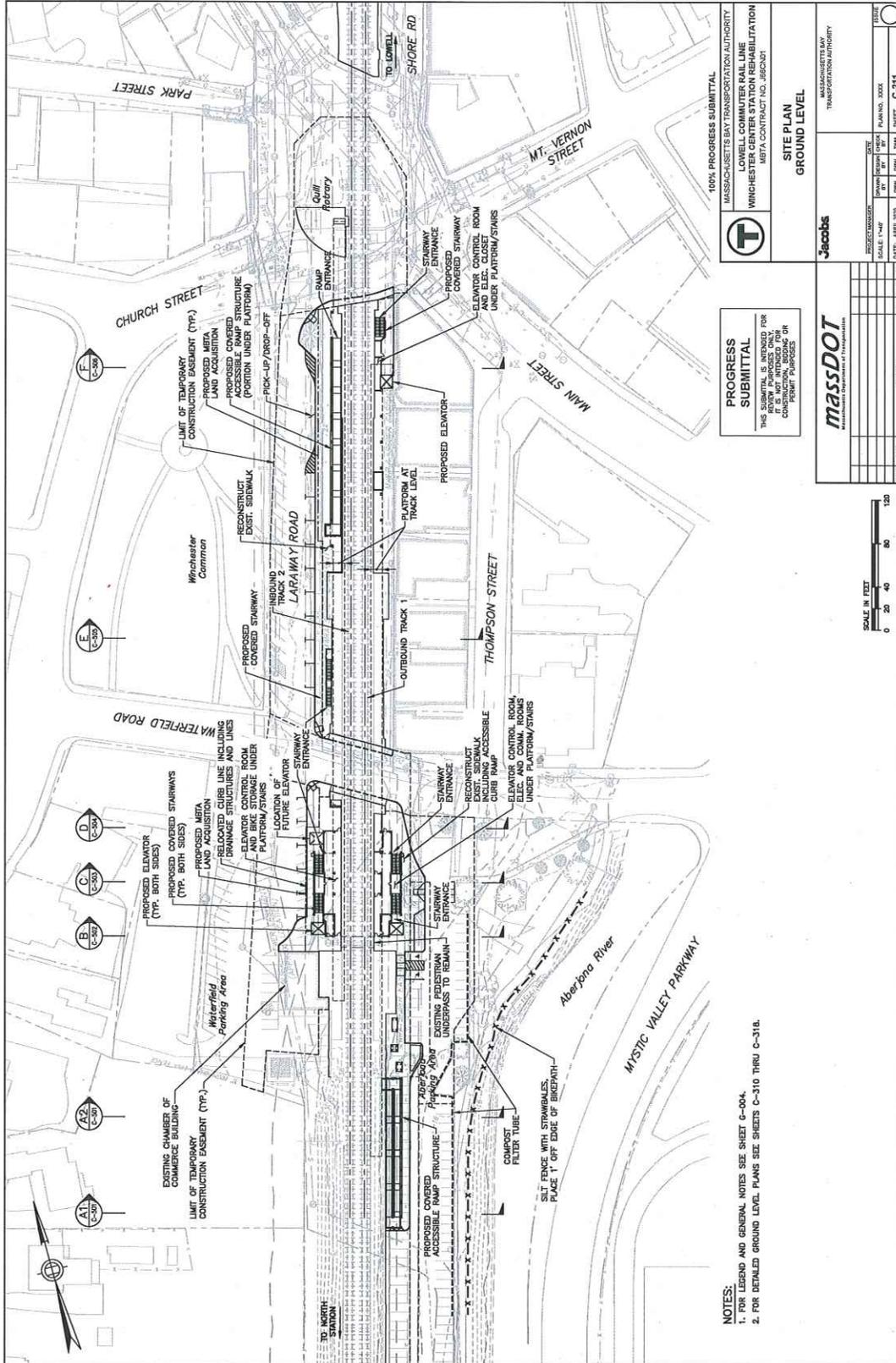
- a. The Town of Winchester reserves the right to reject any and all proposals in whole or in part, and to waive minor informalities, when at its sole discretion it is deemed to be in the best interests of the Town, to the extent permitted by law.
- b. Proposals that meet all quality requirements shall be evaluated based on responsiveness to the criteria, terms and conditions contained in this RFP and its attachments. Failure to follow the instructions, meet the criteria, or agree to the terms and conditions contained in this RFP may be cause for rejection of the proposal as non-responsive.
- c. All proposals shall be submitted to the Town of Winchester, as and where set forth above, on or before the proposal deadline. Proposals and unsolicited amendments to proposals received by the Town after the proposal deadline will not be considered, and requests for extensions of time will not be granted. Proposers who mail proposals should allow sufficient time for receipt by the Town by the proposal deadline. Proposals received after the proposal deadline will be returned to the Proposer unopened.
- d. All proposals shall be signed in ink by the proposer. If the proposer is a corporation, the authority of the individual signing shall be endorsed upon, or attached to, the proposal and certified by the clerk of the corporation.
- e. All proposals submitted shall be binding upon the proposer for a minimum period of one hundred twenty (120) calendar days following the opening of proposals submitted to the Town. Proposals shall be securely kept and shall remain unopened until the proposal deadline and the opening of proposals.
- f. Proposals once submitted may, upon request of the proposer prior to the proposal deadline, be withdrawn or amended. If amended, resubmission of the proposal shall comply with all requirements of this RFP.
- g. Negligence on the part of the proposer in preparing the proposal confers no right of withdrawal after the proposal deadline. The Town does not assume any responsibility for errors, omissions, or misinterpretations, which may have resulted in whole or in part from the use of incomplete proposal documents. Any proposer finding an ambiguity, inconsistency, or error shall promptly notify the Town.
- h. If it becomes necessary to revise any part of this RFP, or if additional data are necessary to enable an exact interpretation of provisions, such addenda will be provided to all proposers who have requested this RFP. No addenda will be issued within the immediate three (3) business day period prior to the proposal deadline.
- i. By submitting a proposal in response to this RFP, the proposer shall be deemed to have certified that no officer, agent, or employee of the Town has a direct or substantial financial interest in the procurement, that the proposal is submitted in good faith and exclusively on the proposer's own behalf, without fraud, collusion or connection of any kind with any other proposer for the same work or with any undisclosed party. Proposers will be required to execute the "CERTIFICATE OF NON-COLLUSION" contained in the "Contract," which shall be filed with the Office of the Inspector General.
- j. All terms and provisions contained in the "LEGAL NOTICE" of this procurement (a copy of which is attached hereto) are incorporated by reference into this RFP.
- k. Proposers may add additional stipulations or otherwise qualify their proposals, but the Town shall retain the sole right to judge the importance of any such stipulation or qualification. If the Town determines that the stipulation or qualification is not in its best interest and/or is materially unacceptable, and if the proposer does not clearly indicate this to be an alternative for consideration, then the Town reserves the right to reject such proposal.
- l. Selection of a proposer's proposal will not create any rights on the proposer's part, including, without limitation, rights of enforcement, equity or reimbursement, until a Land Disposition Agreement and all related documents are approved by the Town and fully executed.
- m. It is understood, agreed upon and made a part hereof, and shall be a part of the contract, that the contract entered into between the Town and the successful Developer shall not be assigned or assignable by way of sub-contract or otherwise, unless or until the Town shall have first assented thereto in writing.
- n. The Town reserves the right to modify any specifications and submission requirements associated with the proposal and the scope of the project.
- o. All proposals must be submitted on the forms provided or on attachments approved in advance by the Town.
- p. All information concerning materials, warranties, guarantees, complete plans, and complete specifications are due at the time of the proposal opening.

# SECTION 4. Appendices

<b>MBTA Project Design and Timeline .....</b>	<b>17</b>
<b>MBTA Temporary Easement Plan .....</b>	<b>19</b>
<b>Diagram of Existing Site Conditions .....</b>	<b>20</b>
<b>Recorded Easements .....</b>	<b>21</b>
<b>Previous Development Concepts for Site .....</b>	<b>22</b>
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<b>Legal Notice .....</b>	<b>33</b>

# MBTA Project Design

(not final, about 95% as of 5/4/2020)



**100% PROGRESS SUBMITTAL**

MASSACHUSETTS BAY TRANSPORTATION AUTHORITY  
**LOWELL COMMUTER RAIL LINE**  
**WINCHESTER CENTER STATION REHABILITATION**  
 MBTA CONTRACT NO. J863017

**PROGRESS SUBMITTAL**  
 THIS DRAWING IS NOT INTENDED FOR PERMIT PURPOSES OR FOR CONSTRUCTION.

**massDOT**  
 Massachusetts Department of Transportation

**Jacobs**  
 MASSACHUSETTS BAY TRANSPORTATION AUTHORITY

**SITE PLAN**  
**GROUND LEVEL**

DATE: APRIL 2020  
 SCALE: 1" = 40'  
 SHEET: C-311

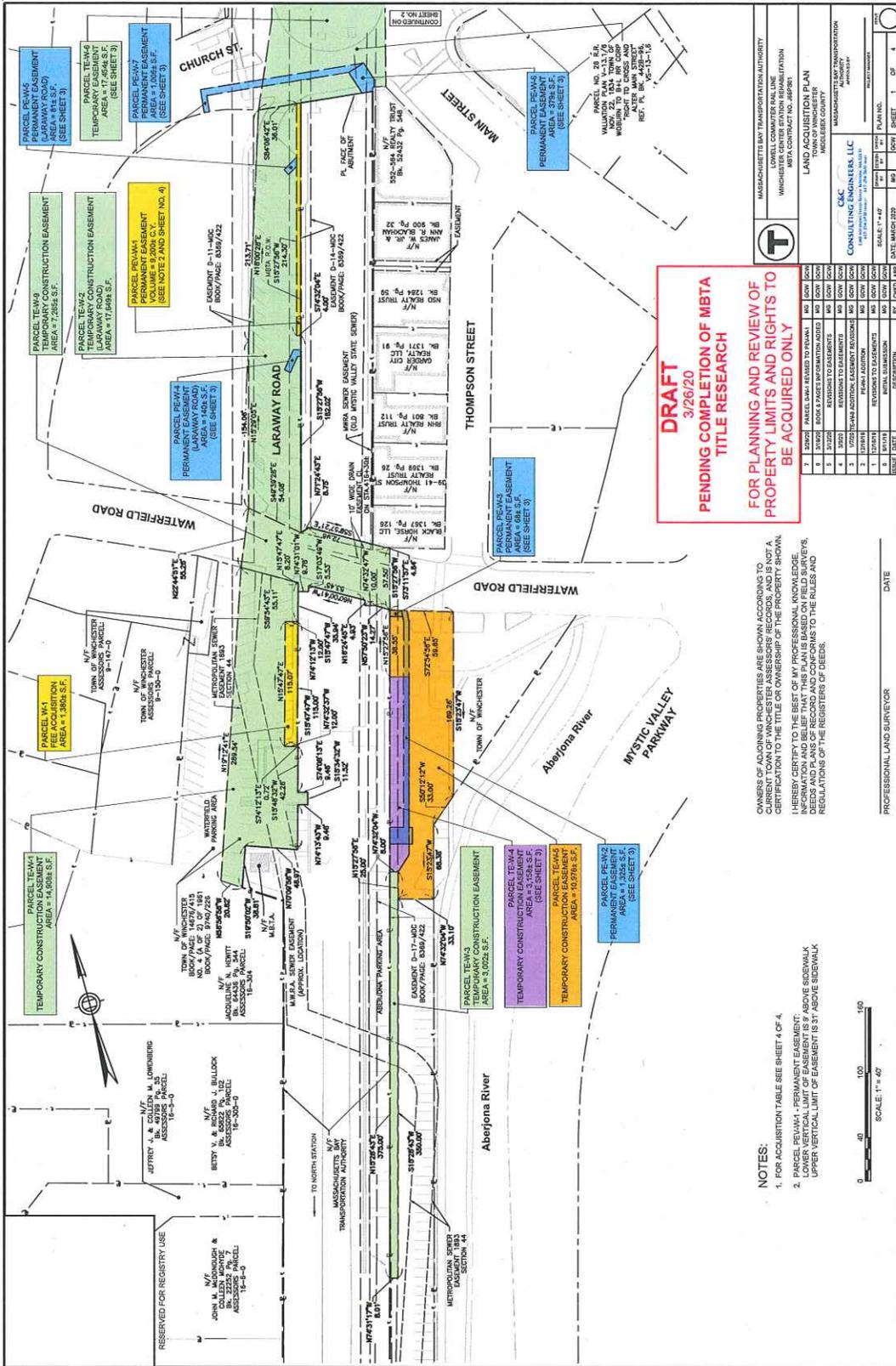
DATE: DATE  
 QUANTITY  
 UNIT: FEET

**NOTES:**  
 1. FOR LEGEND AND GENERAL NOTES SEE SHEET G-004.  
 2. FOR DETAILED GROUND LEVEL PLANS SEE SHEETS C-310 THRU C-318.



# MBTA Temporary Easement Plan

(contingent upon Town Meeting approval in June 2020)



**DRAFT**  
3/26/20  
PENDING COMPLETION OF MBTA  
TITLE RESEARCH  
FOR PLANNING AND REVIEW OF  
PROPERTY LIMITS AND RIGHTS TO  
BE ACQUIRED ONLY

OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT TOWN OF WINCHESTER ASSESSORS RECORDS, AND IS NOT A CERTIFICATION TO THE TITLE OR OWNERSHIP OF THE PROPERTY SHOWN. I HEREBY CERTIFY TO THE BEST OF MY PROFESSIONAL KNOWLEDGE THAT THE DEEDS AND PLANS OF RECORD AND CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

- NOTES:**
- FOR ACQUISITION TABLE SEE SHEET 4 OF 4.
  - PARCEL TE-W-1 - PERMANENT EASEMENT. UPPER VERTICAL LIMIT OF EASEMENT IS 31' ABOVE SIDEWALK.



MASSACHUSETTS BAY TRANSPORTATION AUTHORITY  
LOWELL COMMUTER RAIL LINE  
WINCHESTER CENTER STATION REDEVELOPMENT

LAND ACQUISITION FOR AN  
IMPROVED STATION PLATFORM  
TOWN OF WINCHESTER  
WORCESTER COUNTY

CAC  
CONSULTING ENGINEER, LLC  
100 State Street, Suite 200  
Winchester, MA 01890  
Tel: 978.265.1111  
Fax: 978.265.1112  
www.cac-engineers.com

DATE: 3/26/20  
SCALE: 1" = 40'

PROFESSIONAL LAND SURVEYOR

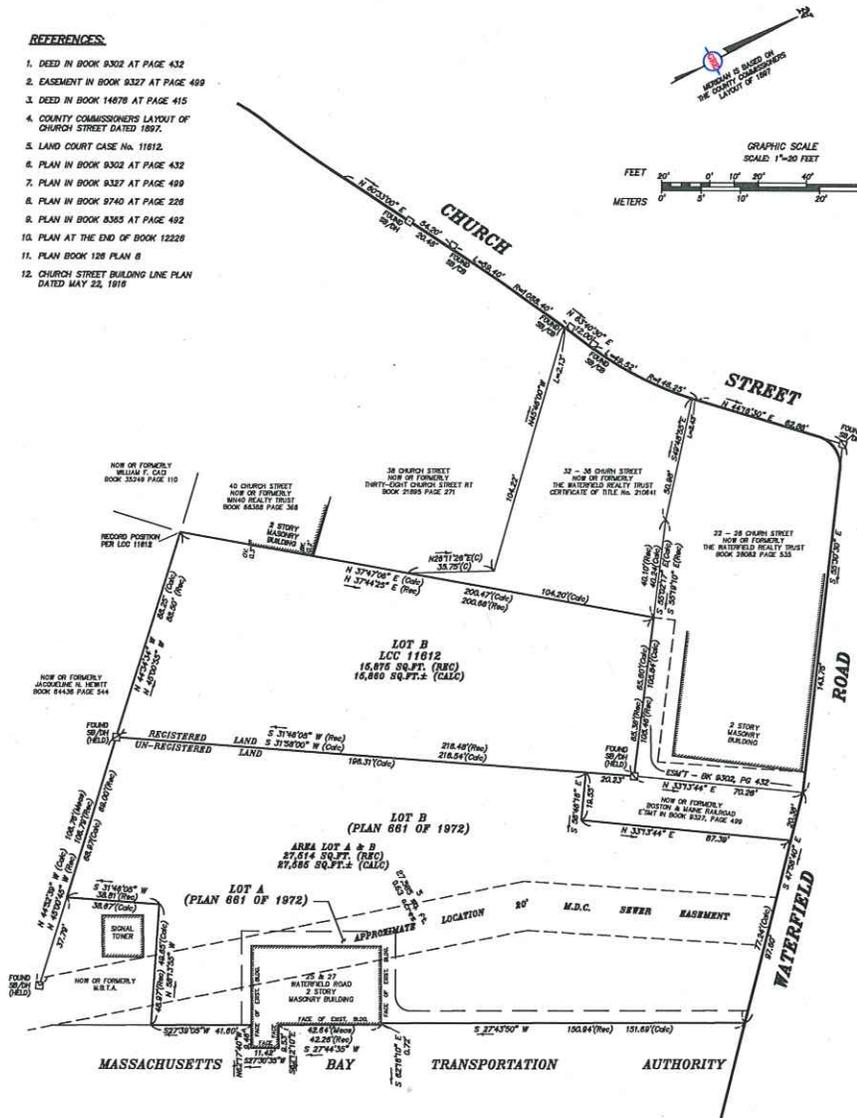
DATE



# Recorded Easements

**REFERENCES:**

1. DEED IN BOOK 9302 AT PAGE 432
2. EASEMENT IN BOOK 9327 AT PAGE 499
3. DEED IN BOOK 14678 AT PAGE 415
4. COUNTY COMMISSIONERS LAYOUT OF CHURCH STREET DATED 1897.
5. LAND COURT CASE No. 11812.
6. PLAN IN BOOK 9302 AT PAGE 432
7. PLAN IN BOOK 9327 AT PAGE 499
8. PLAN IN BOOK 9740 AT PAGE 228
9. PLAN IN BOOK 8363 AT PAGE 492
10. PLAN AT THE END OF BOOK 12228
11. PLAN BOOK 128 PLAN B
12. CHURCH STREET BUILDING LINE PLAN DATED MAY 22, 1916



**NOTES:**

1. THE SUBJECT PROPERTY IS LISTED AS BLOCKS 147, 148, 150 & 173 ON THE TOWN OF WINCHESTER ASSESSOR'S MAP 9
2. THIS PLAN DOES NOT SHOW ANY UNWRITTEN OR UNRECORDED EASEMENTS WHICH MAY EXIST. A REASONABLE AND DILIGENT ATTEMPT HAS BEEN MADE TO OBSERVE ANY APPARENT, VISIBLE USES OF THE LAND, HOWEVER, THIS DOES NOT CONSTITUTE A GUARANTEE THAT NO SUCH EASEMENTS EXIST.
3. ADJACENT REFERENCES WERE COMPILED FROM AVAILABLE TOWN RECORDS AND DO NOT INDICATE AN OPINION OF TITLE OR OWNERSHIP.
4. ZONING DISTRICT IS CDD & S3
5. OWNER OF RECORD IS THE TOWN OF WINCHESTER, 71 MT. WINCHEM STREET, WINCHESTER, MA, 01890

I DECLARE, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THAT THE PROPERTY LINES DEPICTED ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF STREETS AND WAYS DEPICTED ARE THOSE OF PUBLIC OR PRIVATE STREETS AND WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIPS OR FOR NEW STREETS AND WAYS ARE DEPICTED.  
( MASS. GEN. LAWS, CHAP. 41, SECT. 81--X )

IN ADDITION, I DECLARE, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERED PROFESSION.

PROGRESS PRINT 11-02-17

DATE

DATE

**PLAN OF LAND  
WATERFIELD PARKING LOT  
WINCHESTER, MASSACHUSETTS  
(MIDDLESEX COUNTY)**  
PREPARED FOR  
**THE TOWN OF WINCHESTER**

DATE	REVISIONS DESCRIPTION

**G R E**  
SURVEYING LLC  
P.O. Box 684, Winchester, MA 01890  
Telephone 781-761-1844

# Previous Development Concepts for Site



Downtown Conceptual Plan, June 2014



Massachusetts Housing Partnership presentation, July 2018

# Design Review Guidelines for Center Business District

Zoning Bylaw  
April 25, 2016

Section 7.0  
Special Residential Regulations

access; (2) identifying impacted intersections, existing and projected levels of service and a summary of proposed mitigation, including off-site improvements; and (3) a Transportation Demand Management Plan including parking management policy, car and/or van pool programs, and bikeway access and bike parking provisions.

**7.3.16.9 Open Space, Conservation Lands and Natural Resources Plan** showing the location of open space, conservation lands, and natural resources and describing plans to add, change, or preserve open space, conservation lands and natural resources.

**7.3.16.10 Historic Conservation and Preservation Plan** showing the location of existing historic properties and resources and describing plans to tear down, move, modify, repair, maintain or reuse historic properties and resources.

**7.3.16.11 Utilities Plan** showing the location of proposed utilities and describing their capacity to meet or exceed applicable standards. The maximum scale shall be 1 inch = 40 feet.

**7.3.16.12 Stormwater Management and Flood Mitigation Plan** showing anticipated drainage patterns; stormwater management facilities; flood mitigation measures; and a description of the plan's ability to meet or exceed applicable standards, including a calculation of required and proposed compensatory flood storage, as well as drainage calculations comparing pre and post-development runoff rates and volumes. The maximum scale shall be 1 inch = 40 feet.

**7.3.16.13 Landscaping Plan** consistent with Section 9.8.10.

**7.3.16.14 Housing Plan:** The size, number, and approximate price of all units shall be expressly stated in order to determine if the proposed housing portion of the project is meeting the goals of the Winchester Master Plan Phase I which aims to provide a diversity of housing types to enable persons and households from a wide range of ages, economic levels and cultures to live within the CBD.

## 7.3.17 Design Review Guidelines

**7.3.17.1 Design Principles.** The goal of the CBD zoning plan is to create a functionally diverse and active downtown development, consisting of attractive background buildings that focus on and enrich the streetscape and public open space.

New structures must be compatible with Winchester's historic architecture and sense of place. The Town seeks new buildings that are timeless and subtle. This will be achieved in part through the design of properly scaled windows, masonry articulation, setbacks, animated silhouettes, and use of materials that are warm, inviting, and supportive of other proposed buildings.

The objectives of the CBD do not support isolated, individual architectural statements that relate only to themselves. They do support projects that are positive additions to Winchester's town center. General guidelines are discussed below, while detailed

guidelines for historic properties are located in the Rules for this Section 7.3.17 and entitled Guidelines for Existing Historically Significant Buildings.

The Town promotes an active setting along its main downtown streets both during and after customary business hours. Additionally, the Town supports new residential development throughout the downtown that will maximize hours of activity and improve public security.

Development in the public and private realms should be integrated in as positive, secure and elegant a manner as possible. Any part of the perimeter of new development that fronts on an existing street or public open space should be designed to complement and harmonize with adjacent land uses (planned or existing) with respect to use, scale, density, set-back, bulk, height, landscaping, and screening. Finally, each individual project should be carefully conceived and executed to the mutual benefit of its immediate neighbors. New development projects will inevitably affect the existing downtown community. Therefore, attractive and inviting connections to and from adjacent neighborhoods are essential.

#### **7.3.17.2 Open Space and Circulation Design**

1. **Open Space.** The Zoning bylaw requires that open space be provided downtown. Open space shall consist of parks and pervious landscapes (and other buffer zones as defined under the Wetlands Protection Act and Winchester's Code of Bylaws) that are open to the sky at the ground level. Usable open space shall consist of areas available for foot traffic or passive recreation.

Private development bordering public open space and public thoroughfares should have direct access to the public space, and must present inviting elevations and imagery, with special attention at the ground plane. More generally, all development must directly relate to, provide easy access to, and reinforce activity at the existing ground plane. Design must be coordinated to relate well to public open space and public or private passageways that connect with that open space. All retail/restaurant/first floor rental spaces should be at the same level as the adjoining sidewalk or public open space.

2. **Pedestrian Circulation.** All developments must include an integrated pedestrian circulation system with particularly strong connections to the public way and between the adjacent residential neighborhoods.

In order to accommodate a wide range of physical abilities, smooth concrete sidewalks, ramps and walkways are preferred to brick or other uneven surfaces.

In the development of any large, multi-acre site in the CBD, the Town will expect lobbies and other entries, each serving a particular section of the complex, rather than one large lobby and one or two entries serving the entire complex. Offices and residential lobbies should be directly located on public streets and, in the case of a mixed-use building, need to be clearly separated from each other.

3. **Service Facilities.** Entrances to parking facilities and service areas must be coordinated with adjacent development. In addition, entries need to be as far from intersections and public open space corridors as possible, and integrated into the building forms to minimize visual impact. Service roads should be coordinated where several adjacent private developments occur.

**7.3.17.3 Mix of Land Uses.** Each development is encouraged to include a mixture of uses, including retail and restaurant on first floor with housing and/or limited office above.

1. **Retail.** Retail/restaurant uses shall focus on and enliven existing streets in the CBD.
2. **Housing.** Town and State plans envision the development of a significant residential pattern of use throughout the downtown area. The town anticipates that, as the area becomes more and more established, housing will be built to help give an 18 hour presence and the depth of interest and vitality that only people living in an area can provide.
3. **Office.** The presence of the office space should be secondary to the open space system and active ground floor retail pattern.
4. **Parking.** All parking shall be screened to the satisfaction of the SPGA from all public view and from view of adjacent private development, if it will have a detrimental effect on either the design of or leasing of a planned or existing adjacent development. Parking facilities should be incorporated and located within development projects to maximize the opportunity for ground level retail/restaurant activity and to limit inactive, unsecured areas.

**7.3.17.4 Elements of Form**

1. **Height.** Height and bulk of buildings should be configured to minimize their visual dominance, the extent of cast shadows, and undesirable alterations of air currents affecting the public street and open space system, bordering neighborhoods and adjacent new or planned development.

No building element may project vertically beyond the maximum height allowed within the downtown, unless a coordinated system of expressive building tops becomes an integral part of the development's design concept. An expressive building roof line appropriately celebrates the building's union with the sky and is reminiscent of the downtown's late 19th and turn-of-the-century architecture.

2. **Scale.** Projects must relate to human dimensions and provide a sense of intimacy in all aspects of design from building concept development to construction details. Of particular importance are the treatments of the ground plane and other parts of the projects that can be seen and experienced directly by users.

3. **Massing.** Regardless of any preconceived development configuration for any particular use, new development is expected to reinforce the CBD's existing street pattern; to break down any building type's typical massing to relate to the historic character and mass of Winchester's CBD; and to avoid a monolithic appearance.

Properties must maximize the hours of sunlight available to public open space and create a harmonious, architecturally integrated building form that enriches the public domain.

All adjacent private developments, when bordering the public domain, must build to a common party wall in an architecturally compatible manner, with adjacent buildings responding to their neighbors. The Town does not encourage the creation of alleyways along property lines and visible from any public view.

4. **Street-walls and Setbacks.** Maintenance of existing street-walls is generally required within the downtown. This may be accomplished by principal front wall plane setbacks and cornice lines that are consistent with existing buildings on the same block or neighboring blocks. Specific areas (such as immediately bordering the commuter rail at the Waterfield Road area and along Main Street north of Quill Rotary) require setbacks as noted in the bylaw. Permissible exceptions, subject to design review, might include entrance canopies and other at-grade open space amenities.
5. **Silhouette.** As buildings increase in height, they should be shaped to be increasingly slender and broken down in scale toward their top. As nearly all Winchester architectural icons have slanted roofs, the Town prefers to keep this architectural detail for any new additions or constructions. Buildings should be of a tripartite architectural configuration consisting of a base, a middle section and an expressive top section. Buildings must provide animated silhouettes that enliven views from the open space system, the historic downtown and nearby neighborhoods. This greater articulation should be an integral part and emphasis of the building concept.

**7.3.17.5 Details.** Development bordering the public domain must be rich in architectural details, pay special attention to the ground plane and silhouette, and convincingly incorporate appropriate imagery depending on project location, that is, historic downtown tradition, waterfront, and open space imagery. Overall form and individual elevations must be designed to emphasize human scale and presence through the use of properly proportioned features, including but not limited to punched windows, lateral-arm awnings, balconies, setbacks, passageways, etc.

1. **Materials.** All new buildings should be mainly faced with an authentic New England town style or equal, reviewed and recommended by the CBD Review Subcommittee. The highest quality of materials shall be used at the pedestrian level of all buildings;
2. **Color.** The selection of colors should be sympathetic to the general downtown palette;

3. **Awnings.** All new buildings should provide lateral-arm awnings, color coordinated with adjacent development, at all retail frontages overlooking public open space. The awnings will assist in offering an active, vital marketplace image, while at the same time creating a means of protection for shoppers, residents and office workers during inclement weather;
4. **Transparency of Ground Floor Spaces.** All new buildings should maximize visibility and transparency through ground floor retail or possible future retail space as determined by the Town. The Town realizes that future additions of storage rooms, toilets and restaurant kitchens will limit transparency, but it is the Town's objective to locate these areas to maximize visibility and transparency where it is desirable;
5. **Balconies.** All new buildings should provide human-scaled balconies at appropriate locations overlooking public open space. The balconies must be detailed so that they are inviting, highly usable and relate directly to the character of the adjoining open space;
6. **Penthouses and Mechanical Equipment.** All mechanical penthouses and other projections should be architecturally integrated within the overall form and individual elevations of the building. It is encouraged that the penthouses are faced with the same or sympathetic building materials as the principal facade and enhance, and not detract from, the overall building appearance and balance. Mechanical equipment shall be screened to the maximum extent possible with the minimum amount of height exceedance; and
7. **Windows** For reason of public health, aesthetics, and future energy concerns, the Town desires operable windows to be used throughout the buildings of downtown. Strip windows are not acceptable. Traditional masonry openings and articulated fenestrations are expected.

### 7.3.18 Historic Resources

**7.3.18.1 Historically Significant Structures.** Buildings shown in red on Map 7.3.4 below identifies historically significant structures (each designated a "historically significant building within the Center Business District.") that contribute to the established fabric and character of Winchester Center. These structures, and their decorative exterior elements including but not limited to: brackets, moldings, and casings, shall be preserved to the maximum extent possible. Plans that include demolition of historic structures are strongly discouraged.

**7.3.18.2 Preservation Incentives.** To provide incentives to preserve these structures, consistent with the Town Master Plan, the owner of a historically significant building within the CBD may restore building elements including floors (if additional floors once existed) without the requirement of a special permit or variance for dimensional or parking relief. Where an approved change in use has occurred within a historic structure, any additional parking that would be required by the use change will be waived. Restoration plans will be reviewed jointly by the SPGA, the Design Review Committee and the

# Required Forms

## NON-COLLUSION AFFIDAVIT OF BIDDER

State of \_\_\_\_\_

ss

County of \_\_\_\_\_

\_\_\_\_\_, being duly sworn, deposes  
and says that:

- (1) He is (owner, partner, officer, representative or agent) of \_\_\_\_\_, the Bidder that has submitted the attached bid;
- (2) He is fully informed respecting the preparation and contents of the attached bid and of all pertinent circumstances respecting such bid;
- (3) Such bid is genuine and is not a collusive or sham bid;
- (4) Neither the said Bidder nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affidavit, has in any way colluded, conspired connived or agreed directly or indirectly, with any other Bidder, firm or person to submit a collusive or sham bid in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or communication or conference with any other Bidder, firm or person to fix any overhead, profit or cost element of the bid price, or the bid price of any other Bidder; or to secure through any collusion, conspiracy, connivance or unlawful agreement any against the Town of Winchester or any other person interested in the proposed Contract;
- (5) The price or prices quoted in the attached are fair and proper and are not tainted by an collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affidavit.

Signed: \_\_\_\_\_

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

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

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

My Commission Expires: \_\_\_\_\_

CERTIFICATION OF COMPLIANCE WITH TAX LAWS OF  
COMMONWEALTH

I certify under the penalties of perjury that I, to my best knowledge and belief have filed all State tax returns and paid all State taxes required under law.

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\*Signature of Individual or Corporate Name (Mandatory)

By: \_\_\_\_\_  
Corporate Officer (Mandatory, if Applicable)

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\*\*Social Security Number (Voluntary) or Federal Identification Number

\* Approval of a Contract or other Agreement will not be granted unless this Certification Clause is signed by the applicant.

\*\* Your Social Security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Providers who fail to correct their non-filing or delinquency will not have a Contract or other Agreement issued, renewed, or extended. This request is made under the authority of Mass. General Laws c. 62C s. 49A.

**DISCLOSURE STATEMENT FOR  
TRANSACTION WITH A PUBLIC AGENCY CONCERNING REAL PROPERTY  
M.G.L. c. 7C, s. 38 (formerly M.G.L. c. 7, s. 40J)**

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):

<u>NAME</u>	<u>RESIDENCE</u>
_____	_____
_____	_____

(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

<u>NAME:</u>	<u>POSITION:</u>
_____	_____
_____	_____
_____	_____

**DISCLOSURE STATEMENT FOR  
TRANSACTION WITH A PUBLIC AGENCY CONCERNING REAL PROPERTY  
M.G.L. c. 7C, s. 38 (formerly M.G.L. c. 7, s. 40J)**

- (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

**CERTIFICATE OF VOTE (required if Contractor is a Corporation)**

I, \_\_\_\_\_, hereby certify that I am duly qualified and Acting Secretary of  
\_\_\_\_\_ and I further certify that a meeting of the Directors of said  
Company, duly called and held on \_\_\_\_\_, at which all Directors were present  
and voting, the following vote was unanimously passed:

Voted to authorize and empower the person signing the Bid Certification Sheet on behalf of the  
Corporation. I further certify that the above vote is still in effect and has not been changed or  
modified in any respect.

BY: \_\_\_\_\_  
(Secretary of Corporation)

## Legal Notice

## Town of Winchester – Waterfield Lot RFP

### Responses to Comments on Draft RFP

*Prepared by JM Goldson LLC 6/16/2020*

The Town of Winchester held a virtual meeting on Zoom on Wednesday, June 10<sup>th</sup>, 2020 to share an update on the procurement process for the redevelopment of the Waterfield Lot. Several community members participated in the meeting and offered feedback on the scale of the project, design of the site and parking, and the review process for the development proposals. Additional comments and questions were submitted by email, and were subsequently discussed by the working group that has collaborated on the draft RFP document. The Select Board also met on Monday, June 15<sup>th</sup> to provide final guidance on the RFP. The following is a summary of the comments and questions received, and responses from the working group, which consists of local residents, Town board and committee members, and Town staff. The RFP will be revised as indicated below and is anticipated to be released to pre-qualified developers on Wednesday, July 1<sup>st</sup>, 2020.

## Community Feedback

**Rangeley Neighborhood Association:** asked about the process for coordinating with the neighborhood, whether slides will be posted after the public meeting, and whether a member of their group can be part of the review committee.

**Response:** community members, particularly residents and business owners directly abutting the Waterfield Lot, will have the opportunity to review RFP submissions, provide input to the Select Board, and provide other feedback during the selection process, including a public meeting in September or October. Slides from the meeting on June 10<sup>th</sup> are available at the following link:  
<https://www.winchester.us/546/Waterfield-RFQ> . Regarding the review committee, the Select Board has opted to lead the evaluation process themselves, with support from Town Staff, and anticipates selecting up to four finalists to be interviewed.

**Diab Jerius, Planning Board:** submitted corrections to the draft document, including the identification of inconsistent language about the submission format.

**Response:** all corrections have been incorporated into the document. The submission requirements have been updated to require ten hard copies and a USB drive with electronic copy of the submission (electronic submission by Dropbox is no longer being considered).

**Maureen Meister, Planning Board:** expressed concerns about the design review process, permitting, and the requirement that 10% of the housing units include three bedrooms. More information was requested on who is involved with reviewing, at what stage the community can provide input, and whether the three-bedroom requirement can be eliminated.

**Response:**

- An outside design consultant will be hired and is expected to be ready to begin working with the selected developer team once the final selection is made.
- The permitting process will depend on the development proposal, but it is anticipated that Developers will not pursue a Comprehensive Permit (40B) and will work within the existing CBD zoning and Town Common PUD bylaws that are applicable to a residential development on the Waterfield Lot, likely applying for a Special Permit for dimensional relief.
- The three-bedroom requirement in the RFP is based on the Interagency Agreement Regarding Housing Opportunities for Families with Children, which was established in January 2014 by the Department of Housing and Community Development (DHCD), Massachusetts Housing Partnership (MHP), MassHousing, MassDevelopment, and the Community Economic Development Assistance Corporation (CEDAC). This agreement stipulates that housing developments funded, assisted, or approved by a State Housing Agency shall have three (3) or more bedrooms in at least ten (10) percent of the housing units. There are some instances where this policy may not apply, including:
  - “Age-restricted housing, assisted living, supportive housing for individuals, single room occupancy, or other developments in which the policy is not appropriate for the intended residents.”
  - Locations where market demand for these units is lacking (as determined by the applicable agency)
  - Situations where the requirement might render the project infeasible (as determined by the applicable agency)

In addition, excluding three-bedroom units from the proposed development represents a potential Fair Housing violation, as it discriminates against families. In order to provide more diverse housing opportunities in Winchester, the existing language in the RFP related to three-bedroom units will be maintained.

**Jamie Devol – resident:** expressed concerns about the size of the building due to the number of units and parking; questioned the level of affordability and area median income.

**Response:** Evaluation criteria have been developed that prioritize a high proportion of affordability to a range of income levels and require details on the site and building design. There are no requirements for a specific number of housing units or parking spaces. It is anticipated that the proposals will include a range of options, some of which will be smaller and include less parking. The FY 2020 HUD 80% Area Median Income

limit for a 4-person household in the Boston-Cambridge-Quincy, MA-NH Area is \$96,250.

**Additional comments submitted by Maureen Meister:**

- *A lot of statements in the RFP refer to "the town." The reader can't tell who that is: The committee that has been meeting? Or the Select Board? Or who?*

**Response:** Because the Waterfield Lot is owned by the Town of Winchester, it is standard practice for the RFP to refer to the municipality in this fashion. In the case of this RFP, the Town is represented by the Select Board and members of the working group involved in the development of the document.

- *On the RFP, please identify everyone on the steering committee that has been meeting. I don't know whether it has a name. I also didn't know who they were when I attended the Wednesday night meeting. The names of citizen volunteers should be identified as such. The names of participating staff and consultants should be identified with their positions.*

**Response:** Requests for Proposals do not generally list the names of individuals involved in the development of the document. The working group included the following:

Lisa Wong, Town Manager  
Brian Szekely, Town Planner  
Beth Rudolph, Town Engineer  
Michael Bettencourt, Select Board  
Jacqueline Welch, Select Board  
Heather Hannon, Planning Board  
Jack Lemenager, Historical Commission  
John Suhrbier, Housing Partnership  
Marty Jones, Former President & CEO of MassDevelopment  
Neighborhood resident (requested not to be identified), Architect

In addition, Francis Goyes Flor of MassHousing and Jenn Goldson and Barry Fradkin of JM Goldson helped to facilitate the discussion and develop the RFP document. Margaret White, Special Projects Engineer, provided additional feedback on Ch 30B requirements.

- *On page 5, the RFP calls for 10 percent of the units to be three bedrooms. Rather the RFP should promote one and two bedroom units. Building three-bedroom units will undermine the RFP's other objectives: i.e., to provide some parking spaces to support our fragile local retail businesses; to limit the amount of parking on the site overall; and to respect the scale of the town center.*

**Response:** Please refer to the response above about the three-bedroom requirement. As many as eight proposals may be submitted for the site, which will provide a range of

options related to total units, bedrooms, parking, and the scale of the building. The evaluation process will consider all of these factors with respect to how they address the defined objectives.

- *I note on page 7 there is mention of a Selection Committee. Who sits on the Selection Committee? The members should be identified by name in the RFP. The applicants and Winchester residents should know exactly who is making this extremely important decision.*

**Response:** The Select Board will lead the evaluation process with the support of Town Staff. No Selection Committee will be established.

- *Regarding the Selection Process, am I correct that the Select Board will have the final say? If so, the Planning Board should have an opportunity for meaningful input that's more than just being invited to Zoom in to a hearing.*

**Response:** Yes, the Select Board will select the final developer based on the evaluation criteria and interview process. The Planning Board will have the opportunity to comment on the submissions and submit comments and questions to the Select Board before and after the interview process.

- *In order to get a decent outcome in terms of how the project looks, there will need to be early and meaningful input from the advisory boards--meaning the Design Review Committee and Historical Commission as well as the Planning Board if the project is permitted by the ZBA.*

**Response:** An outside design consultant will be hired and is expected to be ready to begin working with the selected developer team once the final selection is made and throughout the pre-development process. They will be tasked with coordinating with the development team and relevant Town boards and committees to address concerns about the proposed design of the building and site.