

# WAYLAND, MASSACHUSETTS

## NIKE SITE COMMUNITY HOUSING PROJECT



## REQUEST FOR PROPOSALS

**Submit Proposals to:**

Frederic E. Turkington, Town Administrator  
Wayland Town Building  
41 Cochituate Road  
Wayland, MA 01778

**Proposals Due:**

Thursday, November 9, 2006 at 11:00 AM

# **NIKE SITE COMMUNITY HOUSING**

Wayland, Massachusetts

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# **NIKE SITE COMMUNITY HOUSING DEVELOPER REQUEST FOR PROPOSALS**

## **I. INTRODUCTION**

The Town of Wayland ("Town"), through the Board of Selectmen, is issuing this Request For Proposals (RFP) inviting proposals for the development of affordable housing on a municipally-owned parcel of land. The site for this development is a 2.75-acre parcel on Oxbow Road. The Property was formerly owned by the United States and was used as a Nike Missile Site. The Town would accept a price proposal for the sale or the lease of the land (pursuant to a 99-year ground lease) at less than Fair Market Value ("FMV") from selected Developer, for the construction of up to sixteen (16) units of affordable housing referred to in this RFP as the "Housing Development," provided that the selected Developer can show that the project would not be financially feasible, due to the sale price restrictions to be placed on the affordable units.

The purpose of this RFP is to solicit proposals that will result in a quality housing development with the maximum number of affordable units. This RFP will facilitate the selection of a Developer with the experience and capacity necessary to successfully develop the site in conformance with the Town's goals, guidelines and criteria stated in this RFP.

The Developer's obligations are the development, construction and sale of up to 16 high-quality ownership units through the execution of all development activities (i.e. plans, permits, financing, construction, marketing, sales) that are normally part of an affordable housing development process. All units will be sold by the selected Developer with a preference given to households with incomes at or below 100% of the Area Median Income (AMI) and with a preference that the majority to be sold to households qualifying at or below 80% AMI. Sales prices for affordable units shall be those approved by the public funding sources.

To expedite and facilitate the development process and to clarify the Town's expectations with respect to quality design and construction standards the Town has taken certain steps to begin the development process and, thereby, potentially decrease the typical up-front Developer risk and expenditures. After the initial site acquisition by the Town for \$395,000.00, the Town completed a Chapter 21E environmental analysis, removed asbestos from buildings, cleared structures from the site, obtained a Site Eligibility Letter from the Massachusetts Department of Housing and Community Development (DHCD), commissioned civil engineering and architectural services resulting in a site plan and unit plans that have generally been well received, held numerous community meetings, and altered the lot configuration to enhance the site plan and improve the siting of the septic capacity. The Nike Site Reuse Advisory Committee (NSRAC), appointed by the Board of Selectmen is compiling the documentation needed for the Comprehensive Permit application and working on regulatory issues to allow a 37-bedroom septic system. Responses to this RFP shall include either a proposal to use the site plan and architectural drawings in Attachment #s 3 & 4 or equivalent drawings that represent an alternative concept in accordance with the design guidelines in Attachment #6. To the extent a responder decides not to use the existing plans, the responder should submit its own site plan, landscaping plan, building elevations and plans, unit plans and such sections, perspective views and other information to appropriately describe the proposal. The Town intends to engage the services of Mostue & Associates Architects, Inc. of 240A Elm Street

Somerville, Massachusetts 02144 and Geller Devellis of 70 Walnut Street, Wellesley, MA 02481 to consult for the Town on this project.

Using the evaluation and selection criteria described herein, The Town of Wayland intends to designate a Developer as quickly as possible following the receipt of proposals, followed at a later date by a negotiated development agreement and purchase and sale agreement or lease.

## **II. SITE DESCRIPTION**

### **1. Location**

The Property consists of a cleared, nearly flat parcel of land of 2.75 acres along a designated Scenic Road in north Wayland, Oxbow Road. The property is located close to the intersection of Oxbow Road, Williams Road and Launcher Way (see locus map, Attachment #1). The Property will be shown on Town of Wayland's Assessor Map 1 as Lot 47A. Pursuant to a May 2006 Town Meeting vote, a reconfiguration of the Property and an abutting Town-owned parcel was approved. The reconfigured Property, which still has an area of 2.75 acres, is shown as Lot 2A on the plan provided as Attachment #2.

### **2. Acquisition of Site by Town**

The 2.75 acres were acquired by the Town from the federal government through the General Service Administration (GSA) for a cost of \$395,000.00 funded by Community Preservation Act (CPA) funds. A contiguous additional 10.71 acres were acquired from the National Park Service in May, 2005 for use as park and recreation land.

## **III. DEVELOPMENT RELATED ISSUES**

### **1. Survey**

The Property is shown as Lot 2A on the plan entitled "Plan of Land in Wayland, Massachusetts Prepared for the Wayland Board of Selectmen, Former Nike Site, Oxbow Road", prepared by the Town of Wayland Survey Department, 41 Cochituate Road, Wayland, MA 01778, dated January 3, 2006 (Attachment #2). All survey work required for the development subsequent to the Developer's designation will be the responsibility of the selected Developer.

### **2. Zoning**

The Property is zoned for single-family residential use requiring a minimum 60,000 square foot lot size and 210 feet of frontage. This Housing Development will require a comprehensive permit from the Wayland Zoning Board of Appeals under M.G.L. Chapter 40B. The selected Developer will apply for this permit with support from the NSRAC.

### **3. Access**

Access into the Property will be by way of a new road to be constructed by the selected Developer as part of the Housing Development. The road will lead from Oxbow Road to the dwelling units and shall provide an access point to the adjacent lot that also is owned by the Town and is designated parkland. Road requirements are outlined in Wayland's Subdivision Regulations.

#### **4. Utilities**

Municipal water and public utility-provided natural gas and electricity are available at the property boundary on Oxbow Road.

#### **5. Septic System**

The selected Developer will be responsible for designing and seeking Board of Health approval of a Title 5 compliant septic system that supports 37 bedrooms in up to sixteen housing units. The Town's preliminary site plan contemplates a shared system with the primary leeching field to be located on the northern property line and the reserve leeching field to be located on the eastern property line. A percolation test performed for the Town in 2004 indicated that the site can accommodate up to 44 bedrooms.

The housing parcel is located almost entirely within a Zone II for the Town's Campbell Road drinking water well which is located approximately 0.5 miles from the site. Because the housing parcel sits within a Zone II, it is subject to certain Massachusetts Department of Environmental Protection ("DEP") regulations governing the amount of septic discharge that is permitted on the site. Given the size of the site, i.e., 2.75 acres, it alone will not satisfy the DEP regulations with respect to the septic system needed for 37 bedrooms in up to sixteen units of housing.

The Town is currently in the process of seeking the appropriate approvals of a Nitrogen Aggregation Loading Plan (prepared in accordance with 310 CMR 15.216) which would permit it to aggregate certain other Town-owned land ("Credit Land") with the housing site in order to satisfy DEP's regulations regarding the permitted amount of septic discharge within the Zone II noted above. In addition to DEP approval, the Town must secure the approval of Town Meeting in order to place certain deed restrictions on the Credit Land. This issue should be resolved on or before November 30, 2006, assuming the DEP and Town Meeting provide their respective approvals<sup>1</sup>.

In the event the Nitrogen Aggregation Loading Plan is not approved by the DEP or Town Meeting does not approve the required deed restrictions, the project described herein may not be feasible. In such event, the Town reserves the right to solicit proposals based on a different development program from other developers including the selected Developer. If another developer is so selected, the Town shall have no obligation, financial or otherwise, to the previously selected Developer.

#### **6. Environmental Conditions**

The Town commissioned an environmental assessment in 2004 and addressed all pertinent, identified issues including asbestos abatement prior to the demolition of buildings circa January 2006. Some environmental summary documents are included as Attachment #5. More complete documentation related to the environmental assessment and activities can be downloaded from the Town's website at [www.wayland.ma.us](http://www.wayland.ma.us).

The property will be sold or leased as is.

#### **7. Site Plan and Schematic Drawings**

The Town worked with an engineer and an architect in 2005 to conceptualize a desirable site plan and building plan. The Site Plan by Geller DeVellis, Inc., dated March 10, 2006 shows the

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<sup>1</sup> The Town's Nitrogen Aggregation Loading Plan has been submitted to the DEP for its review and approval. The Wayland Board of Health approved the plan at its meeting on September 12, 2006. A Special Town Meeting is scheduled for November 9, 2006 and an article seeking approval of the required deed restrictions will be considered at that meeting.

conceptual location of the homes, roadway, parking, septic systems, and other relevant site information (Attachment #3). The architectural designs prepared by Mostue & Associates, Architects, Inc. are partially included in Attachment #4. Additional architectural plans can be downloaded on the Town's website at [www.wayland.ma.us](http://www.wayland.ma.us). These plans can be used as-is, further modified or used as guides as to the character expected of the Housing Development. These plans have been used at numerous community meetings to illustrate how the site might be organized in conformity with the RFP Design Guidelines incorporated herein and served as the basis for the site eligibility letter that the Town has received from DHCD. Respondents are invited to further develop the preliminary design work commissioned by the NSRAC or to propose their own site plans, landscape plans, building plans and elevations and unit plans that are consistent with the RFP Design Guidelines (Attachment # 6).

#### **8. Comprehensive Permit**

The Town has applied for and received preliminary site approval certification from DHCD for a proposed development consisting of up to 16 affordable single-family condominium units in order to facilitate the comprehensive permit to be sought under M.G.L. Chapter 40B. The NSRAC anticipates working with the selected Developer throughout the comprehensive permit application process and anticipates a comprehensive permit application to the Wayland Zoning Board of Appeals as soon as possible in an effort to apply for subsidy sources for the project in Spring 2007.

#### **9. Public Financing**

The NSRAC has had favorable, preliminary funding discussions with DHCD and other public funding sources. In the successful pursuit of a Site Eligibility Letter from DHCD in May, 2006, the NSRAC produced an application in the "One Stop" format describing the intended development and showing a Commonwealth funding allocation of One-Million Nine Hundred and Twenty Thousand Dollars (\$1,920,000). It is anticipated that the selected Developer will make applications for state funding subsidies at the first available homeownership-funding round in 2007, with anticipated funding decisions allowing construction to commence in early-Fall of 2007. Funding support is anticipated through an allocation by the Commonwealth of federal HOME Funds, Affordable Housing Trust (AHT) funds, Housing Stabilization Funds (HSF), and/or other energy grants of approximately \$120,000.00 per unit. The NSRAC will provide application support to the selected Developer. In the event that such funding is not received within a reasonable time after the issuance of the comprehensive permit, the comprehensive permit will become null and void. The development agreement and comprehensive permit will both contain a public funding contingency.

#### **10. Community Support**

Since first becoming aware of the possibility of local acquisition, the Wayland community has held meetings and discussions about the site. This parcel was approved for housing development purposes with a priority on the development of affordable housing at the May 5, 2004 Special Town Meeting.

### **IV. PROJECT DESCRIPTION**

#### **1. Development Program**

The proposed use of the site is an up to sixteen (16)-unit affordable homeownership development with the maximum number of affordable units that can be developed in conformity with the RFP Design Guidelines incorporated herein. It is anticipated that the units will be

organized as a condominium. It is preferred that all the units be restricted for sale to moderate-income households whose incomes do not exceed 100% of Boston Area Median Income (AMI). Of the units to be built, it is preferred that at least eleven (11) shall be affordable to households with income levels at or below 80% of AMI. All proposers should be aware that for any units sold to households at greater than 100% AMI, the selected Developer will be required to pay consideration to the Town, sufficient to enable it to replenish the CPA Fund for a pro-rata portion of the Town's original purchase price and related expenses.

## **2. Design Program**

The selection criteria favor buildings designed and built consistent with the RFP Design Guidelines (Attachment #6). The site plan (Attachment #3) and the building design (Attachment #4) are illustrative of the RFP Design Guidelines. Generally, the preferred development program is as follows:

- Development of up to sixteen (16) units clustered in small groupings across the site.
- A mix of architectural elements, but generally two and one-half story, wood-frame buildings under sloped roofs.
- A development of up to 37 bedrooms with a mix of 2- and 3-bedroom units.
- At least one wheelchair accessible unit.
- Enough parking spaces to supply 2 per unit and 8 additional spaces

## **3.Green Guidelines**

Development plans which include any of the described green guidelines in Attachment # 7, are encouraged.

The Town encourages the selected Developer to apply for grants for renewable energy and sustainable improvements. All proposers should provide background information on any past projects where green design has successfully been used.

## **4. Affordable Sales Prices**

Assuming the preferred housing mix, the 16 homes would be priced according to Local Initiative Program (LIP) guidelines for those qualifying for affordable housing at the time of sale. The current 2006 LIP sale prices of units to households with incomes of 80% and 100% of the AMI are shown in the example below:

Quantity	Price Each	# Bedrooms
1 (accessible)	\$170,000	2
2	\$190,000	2
8	\$170,000	2
2	\$185,000	3
3	\$205,000	3
=====		
16 units	\$2,925,000	37 bedrooms



### **5. Buyer's Deeds and Restrictions**

The selected Developer will prepare the Master Deed, Condominium Trust, By-Laws, Rules and Regulations and Unit Deeds in accordance with recommendations of the Town of Wayland and the state (see MassHousing web site <http://www.masshousing.com/portal/server.pt> for model deed restrictions). The Commonwealth, as well as the Town of Wayland, will provide affordability restrictions to be recorded at the sale of each unit to each Buyer restricting the use and price of the units upon resale.

### **6. Buyer Qualification and Selection**

Local preference will be given to the extent permitted by law. House prices are set to meet guidelines consistent with the Local Initiative Program (LIP) for affordability by eligible first time homebuyers (as shown in the example above). The successful Developer must conform to LIP requirements in the buyer qualification and selection process. LIP guidelines and regulations are rigorous on such matters as the definition of local preference, the proportion of local vs. non-local applicants in each lottery draw, affirmative outreach, deed rider documents, etc. Because the process is so specialized, the selected Developer shall provide a housing consultant who will work with the Wayland Housing Partnership (WHP) for the marketing process. The Developer's services shall include preparation of the required Affirmative Marketing Plan, qualification of prospective buyers, conducting a lottery for buyer selection, and advocacy/follow-up with mortgage lenders on behalf of applicants. If the selected Developer chooses to conduct marketing in-house, the proposed process must be submitted to DHCD for approval, and the selected Developer will be required to work in close consultation with the WHP to ensure incorporation of any provisions, such as deed restrictions, designed to assure long-term affordability.

Buyer qualification and selection shall include the following tasks:

- Administer the buyer education, qualification, and selection of qualified home buyers.
- Educate buyers as to the responsibilities and requirements of home ownership.
- Advertise for lottery applicants.
- Verify income eligibility and qualifications for local preference.
- Secure and/or verify source of down payment assistance, as needed.
- Review Regulatory Agreement and Deed Rider, as approved by the Town.
- Conduct the lottery to select potential owners.
- Report to the Town on progress and any issues that arise.
- Document and provide pre-purchase and follow-up homeowner counseling, as required and approved by DHCD.
- Administer process through closing of loans and occupancy.

### **7. Homeowners' Association**

The selected Developer must supply drafts of all legal documents, drawings and survey for condominium organization and unit sales to Town Counsel for examination prior to recording the Master Deed and other condominium documents. The selected Developer will produce a condominium budget with an estimate of monthly costs associated with maintenance of common spaces and other Condominium Association responsibilities, including utility costs and a management contract for the septic system.

The selected Developer shall establish a bank account for the Condominium Association for the maintenance/replacement of the septic system and other future capital needs.

### **8. Obligations of Developer**

The selected Developer will be responsible for all stages of development of the site from its current state through final sale and occupancy of the dwelling units. All due diligence is the responsibility of the selected Developer.

The selected Developer must assemble and identify a team including architect, landscape architect, engineers, housing consultant, legal counsel, key project personnel and a general contractor or builder licensed by the Commonwealth of Massachusetts as a Construction Supervisor with adequate liability and worker's compensation insurance.

Other responsibilities of the selected Developer include:

- The selected Developer must obtain all necessary permits from the Town of Wayland for this project and is responsible for associated fees unless waived by the Town.
- The selected Developer is responsible for the design and approval of an on-site, subsurface septic system installed as approved by the Town's Board of Health, complying with all Title 5 requirements and approved nitrogen reduction systems.
- The selected Developer will be expected to meet regularly with the Town Administrator and a representative of the NSRAC and/or the Town's Consultant until the homes are sold in order to facilitate communication and to create appropriate mechanisms for dealing with any issues.
- As part of the contract, the selected Developer or his/her/its representative will be required to attend all substantive meetings held with Town Boards and/or Officials concerning this development.
- The selected Developer cannot make any major change to the site plan after the Town sells or leases the Property to the Developer without prior Town approval.
- The selected Developer will be responsible for repair of any damage done to Oxbow Road during construction.
- The selected Developer must supply a one-year minimum homeowner's warranty to the first Buyer(s) of each unit.

- The selected Developer will be required to apply for public funding with Town support for renewable energy subsidies and development subsidy (e.g. AHT, DHCD-HOME, MTC funding).

## **V. RFP PROCESS / DEVELOPER SELECTION**

### **1. Summary**

The Town intends to select the non-profit or for-profit Developer that is determined to best fulfill the Town's needs as expressed in this RFP through the demonstration of expertise in affordable housing development, adequate financial and organizational capacity, and a compelling, financially feasible development program of superior design.

The NSRAC, one or more members of Board of Selectmen, town officials and consultants will conduct evaluation of the development proposals pursuant to the selection and evaluation criteria included herein. The Board of Selectmen will make the final selection after receiving the proposal evaluations from the NSRAC, one or more members of the Board of Selectmen, town officials and consultants.

### **2. Selection Schedule**

September 29, 2006	Issue RFP
October 12, 2006	Pre-Proposal Conference
November 9, 2006	Submission of Proposals by Developers
November 16, 2006	Potential Interview Date
November 27, 2006	Tentative Selection of Developer

### **3. Pre-Proposal Conference**

A Pre-Proposal Conference will be held at the Wayland Town Building, 41 Cochituate Road, Wayland, MA at 2:00 PM on Thursday, October 12, 2006. This conference will be the opportunity for prospective developers to discuss the project with the Town Administrator and NSRAC members and ask any questions concerning this RFP. There will be an opportunity to visit the site following this meeting.

### **4. Questions about RFP**

Questions regarding this RFP may be asked at the Pre-Proposal Conference or submitted in writing at least seven (7) days prior to the deadline for submitting proposals. All answers provided, along with the corresponding questions, will be made available in writing to everyone who has requested a copy of the RFP.

Written inquiries about this RFP should be directed to: Frederic E. Turkington, Jr., Town Administrator, Wayland Town Building, 41 Cochituate Road, Wayland MA 01778  
[fturkington@wayland.ma.us](mailto:fturkington@wayland.ma.us) phone: 508-358-3620, fax: 508-358-3627

A copy should be sent to town consultant: Barbara Shaw, Just-A-Start Corporation, 432 Columbia Street, Cambridge, MA 02141. [barbarashaw@justastart.org](mailto:barbarashaw@justastart.org) phone: 617-494-0444 fax: 617-494-8348.

### **5. Proposal Submission**

Applicants must submit 16 copies of the proposal for consideration by the Town.

All proposals must be complete and signed by the Developer. Sealed proposals will be accepted no later than **11:00 AM on Thursday, November 9, 2006**. If delivered, they should be carried to the office of the Town Administrator. If mailed, address to: Town Administrator, Wayland Town Building, 41 Cochituate Road, Wayland MA 01778. No allowance will be made for lateness due to failure of delivery systems including the U.S. Post Office. Proposals received after this time and date will be returned unopened.

Envelopes or packaging must be sealed and clearly marked on the outside:

**"COMMUNITY HOUSING RESIDENTIAL CONSTRUCTION: NON- PRICE PROPOSAL" and  
"COMMUNITY HOUSING RESIDENTIAL CONSTRUCTION: PRICE-PROPOSAL."**

#### **6. Proposal Organization and Format**

The proposal shall address each of the following items and shall be organized in the following manner using tabs numbered 1 – 10 as follows.

##### **A. Non-Price Proposal**

1. Proposal Cover Letter signed by Developer
2. Proposal Summary - a synopsis of proposed development
3. Developer Profile - a description of the Developer's organization and pertinent experience, including identification of the development team including, without limitation, architect, landscape architect, engineers, housing consultant, legal counsel key project personnel and general contractor/builder.
4. Development and Sales Pro Forma - a detailed breakdown of projected development costs and financing sources using the form provided.
5. Financial Qualifications
6. Implementation Plan and Timetable – brief description of planned development activities with schedule.
7. Design Materials, including such site plans, landscape plans, building elevations and plans, unit plans, sections, perspective views and other materials as are required to fully describe the Developer's proposed design and development program, to the extent they are significantly different from those contained in Attachment # 3 and 4.
8. Required Certifications - Statement of Tax Compliance/Certificate of Non-Collusive Affidavit Form and, if proposed Developer is a Corporation or Partnership, Principal(s) must execute an "Acknowledgment of Principal" form.
9. Optional Attachments – Developer to attach any additional documentation it believes would be pertinent to the proposal.
10. Exceptions - a statement explaining any exceptions to the terms, conditions, and specifications of this RFP including a statement as the Developer's proposed implementation of construction and design guidelines.

B. Price Proposal

1. The amount, in U.S. Dollars, that the proposer offers to pay the Town as consideration for the purchase of Lot 2A as shown on Attachment #2.
2. The amount, in Dollars, the proposer offers to pay the Town as annual rent for a 99-year leasehold interest in Lot 2A as shown on Attachment #2.

**7. Selection Criteria**

**Minimum Evaluation Criteria:** The following criteria are considered essential to the success of the project. Proposals that do not meet minimum standards will be eliminated from further consideration and not rated.

A. Conformity of Proposal: The proposal must incorporate all of the requirements set forth in this RFP and any which may be incorporated in an Addendum after the Pre-Proposal Conference.

B. Experience and Qualifications: Experience and qualifications of Contractor's anticipated development team must demonstrate:

1. Experience in development of affordable housing using complex affordable housing financing such as HOME, AHT and other affordable housing resources;
2. Financial strength of development team members and creditworthiness of developer (no debts in default; no recent foreclosures; no declaration of bankruptcy, no tax liens);
3. Physical and financial health of previous projects completed by the Developer;
4. Successful track record in setting up condominium associations;
5. Experience working with town governments in suburban communities such as Wayland;

C. Timetable: The proposal shall provide a schedule indicating timelines for the assembly of construction financing commitments (dependent upon State funding cycles), development of the site, and expected occupancy of the property. The NSRAC expects construction to start in September 2007; occupancy to begin in September 2008; with full occupancy to occur by January 2009. The Town reserves the right to waive or extend these deadlines.

D. Certification Statements: The following certification statements must be completed and included with the proposal:

- Disclosure of Beneficial Interest – M.G.L. Chapter 7, Section 40J.
- Certificate of Tax Compliance – M.G.L., Chapter 62C, Section 49A.
- Certificate of Non-Collusion - M.G.L. Chapter 30B, Section 10.

E. Financial Feasibility: Prospective developers must demonstrate in their submissions a pro forma that the proposed project is financially feasible (assuming that the required state funding sources applications are successful). In the event that such state funding is not

made available or is not sufficient to enable the selected Developer to commence construction within the time agreed in writing in the development agreement between the Town and the selected Developer, the Town reserves the right to solicit proposals based on a different development program from other developers, including the selected Developer. If another developer is so selected, any agreements between the Town and selected Developer will terminate and all other obligations of the parties thereto, financial or otherwise, will cease and the agreements will be void without recourse to the parties thereto.

F. Conformity with the RFP Design Guidelines

**Comparative Evaluation Criteria:** Each proposal meeting the Minimum Evaluation Criterion will be rated according to the Comparative Evaluation Criteria. The evaluators will submit their evaluation spreadsheet to the Town Administrator. The Comparative Evaluation will be based on the quality of response to RFP criteria, experience with projects similar to this one, the experience and quality of the staff assigned to the Nike housing project, the commitment and ability of the Developer to bring the project in on time, and the Developer's references. The manner in which each Proposer responds to each of the following criteria will be rated as "Highly Advantageous," "Advantageous", "Less Advantageous." The Town reserves the right to apply different weightings and/or ratings to the various criteria.

1. A HIGHLY ADVANTAGEOUS proposal will be one in which:

- a. The Proposal is written clearly, exceeds the expectations stated in goals and guidelines in the RFP, and demonstrates a superior track record on comparable projects.
- b. Experience and proven success in obtaining affordable housing financing such as HOME and AHT grants for the development of new multi-family construction.
- c. The Proposal is in full conformity with the RFP Design Guidelines (Attachment #6).
- d. The Proposal is for 16 affordable housing units with 11 units at 80% AMI and 5 at 100% AMI.
- e. The Proposal offers expertise and experience in innovative housing and energy-saving construction that will minimize operating costs.
- f. The Proposal meets the timetable expressed in the RFP.
- g. The Developer demonstrates previous experience working with local and minority subcontractors and labor, and has taken responsibility for the performance of all subcontractors and for all necessary reporting.
- h. The Developer demonstrates a history of financial strength to develop physically and financially healthy projects.
- i. The Developer demonstrates excellent working relationships with previous and existing development partners.

- j. The Developer's other projects being undertaken by it concurrently with the Nike Site development will have no adverse impact on the Nike project.
- k. The Developer's company is based in Massachusetts.

2. An ADVANTAGEOUS Proposal will be one in which:

- a. The proposal is written clearly, meets stated goals and guidelines in this RFP and demonstrates an acceptable track record.
- b. The proposal demonstrates a lesser number of components that enhance the development's competitiveness for available affordable housing funding subsidies.
- c. The proposal generally conforms with the RFP Design Guidelines (Attachment #6).
- d. The proposal is for 14-15 affordable units with 10 to 11 at 80% AMI and the balance at 100% AMI.
- e. The proposal demonstrates some experience and expertise in innovative housing and energy-saving construction that will minimize operating costs.
- f. The proposal is within 6 months of the proposed timetable.
- g. The Developer demonstrates some previous experience working with local and minority subcontractors and labor.
- h. The Proposal demonstrates some history of financial strength to develop physically and financially healthy projects.
- i. The Proposal demonstrates good working relationships with previous and existing development partners.
- j. The Developer's concurrent projects will have minimal adverse impact on the Nike Housing Development.
- k. The Developer's company is not based in Massachusetts; however provisions have been made for a local office for the duration of construction and sale of the housing.

3. A LESS ADVANTAGEOUS proposal will be one in which:

- a. The proposal is not clearly written, does not meet the goals and guidelines stated in this RFP and does not demonstrate an acceptable track record on similar projects.

- b. The proposal does not demonstrate components that enhance the development's competitiveness for available affordable housing funding subsidies.
- c. The proposal is not in conformity with the RFP Design Guidelines (Attachment #6).
- d. The proposal is for less than 14 affordable units with less than 10 at 80% AMI and the balance at 100% AMI.
- e. The proposal does not demonstrate experience and expertise in innovative housing and energy-saving construction that will minimize operating costs.
- f. The proposal does not meet timetable in excess of 6 months.
- g. The Developer does not demonstrate previous experience working with local and minority subcontractors and labor.
- h. The Proposal does not demonstrate history of financial strength to develop physically and financially healthy projects.
- i. The Proposal does not demonstrate good working relationships with previous and existing development partners.
- j. The Developer's concurrent projects will have an adverse impact on the Nike Housing Development.
- k. The Developer's company is not based in Massachusetts; and no provisions have been made for a local office for the duration of construction and sale of the housing.

## **VI. DEVELOPMENT IMPLEMENTATION**

### **1. Letter of Intent**

After notification of selection by the Town, the selected Developer will enter into a "Letter of Intent". This Letter will allow the Developer to go forward with development activities and to commence work on the Comprehensive Permit application with the NSRAC.

### **2. Development Agreement**

Over the following month, a Development Agreement and form of Purchase and Sale Agreement or Lease will be prepared with input of the selected Developer's Counsel and Town Counsel that will provide the Town with assurances that the Housing Development will successfully be completed in compliance with this RFP and the selected Developer's proposal. The Agreements will consist of these documents, the Developer's proposal, bonds, general conditions and special provisions, if any, and all other documents required for submission by this RFP or referred to in the RFP including without limitation the land disposition agreement (purchase and sale agreement or lease) with the Board of Selectmen.



### **3. Transfer of Land to Developer**

The parcel will be conveyed or leased to the selected Developer at the time the selected Developer grants a mortgage to the institutional lender securing a construction loan, subsequent to and accompanied by a land disposition agreement to be negotiated with the Board of Selectmen. Such construction loan shall be in an amount adequate, in the judgment of the Town, to construct all dwelling units and other site improvements given other public funding secured by the selected Developer. Such mortgage shall be expressly subject to the land disposition agreement which shall include a deed restriction in the general form acceptable to the town and as shown on MassHousing website including a declaration of resale affordability restrictions intended to ensure compliance with the definitions and requirements of the Massachusetts Local Initiative Program.

The transfer of the parcel may be accomplished as a sale or as a 99-year ground lease. If the Town determines that a lease is preferable, it is anticipated that the selected Developer and the Town will negotiate the terms of the lease as an attachment to the Developer Agreement using models from other municipal initiatives.

### **4. Tentative Development Timeline**

With the support of the NSRAC and the work of the selected Developer, it is anticipated that the development process will entail work by the Developer over a 3-year period and that the following timeline can be met:

September 29, 2006	RFP Issuance
October 12 2006 (2:00 PM)	Pre-Proposal Conference
November 9, 2006 (11:00 A.M.)	Submission of Proposals by Developers
November 16, 2006	Potential Interview Date
November 27, 2006	Tentative Selection of Developer
December 2006	Letter of Intent/ Developer and Town
December 2006	Application for Comprehensive Permit
February 2007	Developer Agreements
Spring 2007	Submit public financing applications
Summer 2007	Obtain commitment public financing
Fall 2007	Conveyance or Lease of Property
Fall 2007	Closings Construction/Public Financing
Fall 2007	Construction Start
Summer 2008	Marketing
Fall 2008	Substantial Completion
Winter 2008/2009	100% Occupancy

## **VII. TOWN OF WAYLAND - Conditions, Terms and Limitations**

### **1. Right to Reject**

The Town reserves the right to amend this Request for Proposals at any time prior to the deadline for submission and to reject any or all proposals received if it is determined to be in the best interest of the Town to do so. The Town also reserves the right to negotiate with any qualified proposer or to accept only selected elements of a proposal.

### **2. Expenses and Obligations**

All expenses for making proposals to the Town are the responsibility of the proposer.

All obligations placed upon the Developer under this RFP and all expenses and costs incurred by the Developer in meeting its obligations under this RFP are to be included in the proposal.

### **3. Proprietary Rights**

All proposals, responses, inquiries, or correspondence relating to this RFP and all documents provided by prospective developers shall become the property of the Town of Wayland when received. The Town retains the right to use any or all ideas presented in any proposal. Selection or rejection of a proposal does not affect this right.

### **4. Procurement**

The disposition of the Property by the Town is subject to the Uniform Procurement Act, M.G.L. Chapter 30B.

### **5. Rework**

Rework of any kind whatever, required due to the failure of the Developer or Developer's contractors to perform according to the contract specifications, shall be done at the sole expense of the Developer and shall in no way be reflected in any charges to the Town or the homeowners.

## **VIII. REQUIRED FORMS**

The following certification statements must be completed and included with the Developer's proposal. These forms can be found in Attachment #8.

- Disclosure of Beneficial Interest – M.G.L. Chapter 7, Section 40J.
- Certificate of Tax Compliance – M.G.L., Chapter 62C, Section 49A.
- Certificate of Non-Collusion. – M.G.L. Chapter 30B, Section 10 (must be included with both the non-price proposal and the price proposal).

The following form or a form that provides similar information should be used by the developer for supplying proposed development "sources and uses" information. The form is part of the Commonwealth's "One Stop Affordable Housing Finance Application" (Section 3: Sources and Uses) and can be found in Attachment #9 and downloaded from the Massachusetts Housing Investment Corp. website.

- Development Budget/Pro forma (sources and uses of funds).

## **21E Summary**

*The following information is a summary of the Final Limited Environmental Site Assessment Report prepared by Bois Consulting Company and Lightship Engineering, June 14, 2004. The full report can be found on the town's website at [http://www.wayland.ma.us/planning/nike/NikeSite.htm#Available\\_Documents\\_](http://www.wayland.ma.us/planning/nike/NikeSite.htm#Available_Documents_).*

Parcel 2A is a portion of an approximately 14 acre property formerly owned by the U. S. Government and managed by the General Services Administration (GSA). Prior to 1955 the property was undeveloped woodlands. The property was developed operated by the U.S. Army as a Nike missile site from 1955 through 1964; the Massachusetts Army National Guard operated the missile site from 1964 until 1974. The National Guard used the Site as a storage facility from 1974 through 1997.

Prior to acquiring the property that includes Parcel 2A associated with this LIP, the Town contracted with CMG Environmental, Inc. to prepare a Phase I Environmental Site Assessment (ESA) Report (October 20, 2003) in general conformance with the American Society for Testing and Materials Standard Practice E 1527-00. At the time that the ESA was performed the property was vacant, and contained 12 buildings and two missile silos (Silo 6 and Silo 7).

The ESA Report identified the following six areas of concern (AOC) at the property and recommended additional information be gathered to determine if additional action was required.

- AOC #1: Former OHM Handling & Storage Buildings Area (L-3, L-5, L-9, L-10, storage sheds, and pump house). Partially on Parcel 2A;
- AOC #2: Missile Battery & Associated Storm Drainage Area. Adjacent to Parcel 2A;
- AOC #3: Former Warheading Building (L-11). Adjacent to Parcel 2A;
- AOC #4: Primary Septic System. Partially on Parcel 2A;
- AOC #5: Former Dog Kennel Septic System (near L-18). Partially on Parcel 2A; and
- AOC #6: Former Heating Oil UST (L-1).

The ESA Report identified two locations at the property which where assigned Release Tracking Numbers (RTN) by the Massachusetts Department of Environmental Protection (MassDEP) on November 1, 1996. The RTNs were assigned in response to the MassDEP being notified that two areas had been identified where soil samples had exceeded the Massachusetts Contingency Plan (MCP) Reportable Concentrations for polynuclear aromatic compounds (PAH). The MassDEP's Release Tracking Numbers for these areas were RTN 3-14462 (North Outfall Missile Magazine Area which is adjacent to the Parcel 2A) and RTN 3-14463 (Former Building L-5). Soil excavation and removal activities were performed and confirmatory soil samples

collected for laboratory analysis. A Class A-2 Response Action Outcome under the MCP was submitted to the DEP on October 8, 1997 for both releases, thereby closing these two cases under the existing regulatory framework.

Bois Consulting Company, Inc. (Bois Consulting) was contracted by the Town to perform a limited site assessment to collect additional information to:

- Further quantify the environmental conditions identified in the ESA Report and determine if response actions under Massachusetts or Federal environmental regulations are required;
- Further quantify the environmental conditions identified in the ESA Report to support property acquisition: and
- Provide information to support the evaluation of various property reuse options.

Site investigation work performed by Bois Consulting was conducted in accordance with:

- ASTM Standard Practice E 1903-97 “Standard Practice for Environmental Site Assessments: Phase II Subsurface Investigation;”
- Best practices for data collection as set forth by the Massachusetts Department of Environmental Protection, the Massachusetts Contingency Plan (MCP, 310 CMR 40.0000), and specifically Response Action Performance Standards (310 CMR 40.0191);
- Worker health and safety requirements as established by OSHA and other relevant requirements. This included confined space entry considerations when evaluating the silos; and
- State and Federal regulations for asbestos containing material (ACM) including National Air Emission Standards for Hazardous Air Pollutants (NESHAP) and Asbestos Hazard Emergency Response Act (AHERA) assessments.

Work completed included:

- Installing three groundwater monitoring wells and collecting groundwater samples from each well for volatile organic compounds (VOC), volatile petroleum hydrocarbons (VPH), extractable petroleum hydrocarbons (EPH), RCRA 8 metals and nickel laboratory analysis;
- Advancing twenty six soil borings using the direct push drilling method and seven additional shallow soil borings using a hand auger. Continuous soils samples were collected and screened for olfactory and visual evidence of oil or hazardous materials (OHM). Samples were also field screened for the presence of VOCs. No evidence of OHM or elevated VOCs readings were observed;
- Sediment samples were collected from drywells and stormdrains;
- Soil samples collected from the borings and sediment samples were submitted for laboratory analysis. Select samples were analyzed for VOC, VPH, EPH, PCB, RCRA 8 metals and nickel laboratory analysis;

- Performing an asbestos and lead-based paint survey of the structures present at the property at the time of the investigation.

The Limited Environmental Site Assessment Report (February 13, 2004) prepared by Bois Consulting concludes that based on the data collected and current use of the property, there are no significant environmental issues currently present at the property, including Parcel 2A. Pursuant to ASTM E 1527-00 for environmental site assessment work, a recognized environmental condition is defined as “the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of release....” A recognized environmental condition is not intended to include de minimus conditions that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate government agencies. Based upon this definition, this assessment has revealed some potential recognized environmental conditions at the property located at 133 Oxbow Road in Wayland, Massachusetts, which are noted below. These potential recognized environmental concerns include those that may arise during future development of the property:

- Asbestos- and lead-containing materials were encountered at various structures throughout the property, and would require appropriate management of the demolition debris, as well as worker safety precautions during renovation and/or demolition activities. (Asbestos was removed from all buildings at the property, including those that were present on Parcel 2A.)
- Soil samples were taken in select locations from likely source areas and did not indicate any significant contamination issues; however, as with any construction and/or excavation activities at previously developed properties, unusual odors or visibly contaminated soil, if encountered during such activities, should be evaluated by an environmental professional; off-site disposal of soil must be managed in accordance with existing regulations and may require additional analyses. (No such soils were observed during building and pavement demolition activities.)
- The total metals concentrations (from unfiltered samples) were higher than MCP Reportable Concentrations for drinking water; additional groundwater samples were collected for dissolved metals analysis on March 4, 2004; these additional samples confirmed that the initial data most likely reflected the presence of metals adhered to suspended sediment. The additional results are considered more representative of the groundwater conditions, and indicate that no detectable levels of dissolved metals were found in the groundwater in any of the three monitoring wells.
- Sediment samples from the catch basins on-site have had elevated concentrations of some metals in the past; the catch basins should be cleaned prior to closing, and the sediment disposed of properly at the time of cleaning. (Sediments were removed from catch basins for offsite management prior to their demolition).

## DESIGN GUIDELINES FOR HOUSING

### **PURPOSE:**

These guidelines supplement the RFP for proposed housing at the Wayland Nike Site. Please refer to Wayland building and zoning regulations online for local requirements for design and construction of new buildings in Wayland.

The intent of these guidelines is to direct new housing construction such that:

1. The designer of new homes must consider forms, massing, shapes, textures, and functions that are compatible with the general character and design styles of the existing neighborhood and town.
2. The primary architectural styles that exist in Wayland include original farm structures, New England Greek Revival, Colonial Revival, neo-Colonial, Cape Cod Cottage, Contemporary Deck, Split-Level, and Bungalow. Some neighborhoods have a distinct, overwhelming architectural style and some are a combination. New homes should not aim to directly copy historical styles or existing homes, but it is preferred for the homes to be able to be identified as “traditional” or “classical” in character. Modern design and style elements can be proposed with quality design and details. The main goal is that the function and form are suited to the site and the neighborhood. Visual style is expected to vary with each proposer, but should maintain a common theme compatible with the neighborhood. For example, the attached design (Appendix A) incorporates the massing and scale of an extended farm house.
3. Each new home is not just responsive to the context of the street, but must also have an individual appearance that can be held up to a design standard. As several new homes will be placed in a single neighborhood, there may be a diversity of designs among them.
4. The materials, products, and finishes should be of lasting quality. They should be chosen for contextual suitability, and for quality and durability.

### **GENERAL REQUIREMENTS:**

1. Major importance should be placed on maintaining and enhancing the proportions, rhythm, character, and materials of the neighboring houses that define the streetscape.
  - a. The new construction shall be no higher than an average height of 35 feet.
  - b. Private outdoor space shall be provided for each unit, with a minimum size of 20' x 20' per unit for the personal use of each unit owner.

## **2. NEIGHBORHOOD SPECIFICS**

New housing designs should be based on the corresponding historical precedents of the immediate community to maintain consistency and uniformity throughout.

## **3. FACADES**

- a. The orientation of the house should be such that the front façade faces the new street.
- b. All elevations of the house should be detailed and treated as important, including the side and rear elevations.
- c. All elevations of the house should be fenestrated.
- d. Architectural details present on other neighborhood homes should be incorporated into the design of a new house to add interest to the design and coherence within the streetscape. These details include, but are not limited to:
  - i. Rake boards
  - ii. Cornice lines
  - iii. Corner boards
  - iv. Columns or turned posts, of appropriate proportions and detailing
  - v. Pilasters
  - vi. Pediments or other decorative entranceways.

Details should be used as appropriate to the neighborhood style and to the building construction type.

- e. If siding is used, it should be wood or fiber cement siding. Aluminum, Exterior Insulation Finish System (E.I.F.S.) and vinyl siding are prohibited.
- f. If brick is used, it should be no larger than a standard modular unit size.

## **4. FRONT ELEVATIONS/PORCHES**

- a. A covered entrance or front porch is preferred on all new homes. Please refer to attached illustrations, Exhibit A.
- b. Any supporting or decorative columns or posts should follow the dimensions of similar elements in the neighborhood. For example, Colonial Revivals or Capes usually have columns of a more slender proportion. The column will usually be larger width than the structurally necessary size. Please refer to attached illustrations, Exhibit A.

## **5. WINDOWS**

- a. All window casings should be built out to give dimensionality to the façade. It is preferred that casings not to be flush with the plane of the façade.

- b. Windows should contain muntins in a general proportion that is appropriate to give texture to the house and to follow the other homes in town.
- c. Wood windows, with interior and exterior wood frames and muntins, are preferred. Wood windows, with the exterior clad in either aluminum or vinyl, are also preferred. Vinyl and aluminum windows are not allowed.
- d. If shutters are used, shutter sizes must be proportionally correct. They should each be half the width of the window opening such that the entire window is covered when they are closed.

## **6. DOORS**

- a. Front doors should be of wood or fiberglass and of a traditional style with simple ornamentation.
- b. Any windows should be of simple, clear glass and not ornately decorated.
- c. Flush doors are not preferred.

## **7. ROOFS**

- a. Interest should be added to the roofline with height and plane changes.
- b. There should be a cornice line and it should be of a wide proportion and built out to give dimension to the transition from the roof to the façade.
- c. Shingles must conform to the NSRA Committee approved color list which are subdued tones in the weathered gray, weathered brown, gray-brown, and moss green ranges.
- d. Skylights are not preferred.

## **8. PARKING**

- a. Provide two spaces per unit plus eight spaces for visitors. See attached plan.

## **9. GARAGES – Are encouraged if budget allows for them.**

- a. Detached garages are allowed.
  - i. Detached garages should be located at the side or rear of the house.
  - ii. Detached garages should be simple and designed to read very clearly as a secondary structure, complementary to but subordinate to the main building.
  - iii. Detached garages for multiple cars are acceptable for clusters of units.



- b. Attached garages are also preferred when appropriate to the building massing.
- c. All garages should match the color scheme of the house. The roof shingle must match the house it serves.
- d. If siding is used, the siding on the garage should be the same dimension and color as the siding on the house it serves.
- e. The roof pitch and gable orientation should match the house.
- f. In the event garages are not provided, a minimum of 100sf. of storage space for each unit shall be provided with direct exterior access.
- g. Other storage with outdoor access may be provided even if garages are provided.

## **10. LANDSCAPING AND EXTERIOR ELEMENTS**

- a. A minimum of 50% of site must be reserved for open space.
- b. Landscaping shall be planted to soften views of the foundation on the front facade of the house.
- c. Landscaping shall be planted to buffer but not block views of the proposed development from the street and from neighboring properties. Provide buffering with native Evergreen trees.
- d. Trees to be drought resistant species:
  - i. There should be a minimum of 30 shade or ornamental trees for the site development.
  - ii. If a shade tree (such as hardwood maple, oak, elm, ash or similar) is used, it should have a minimum trunk size of three and a half (3 1/2) inches in diameter upon installation, as measured six (6) inches above the established ground level.
  - iii. An ornamental tree (such as pear, cherry, plum, dogwood, crab apple, lilac or similar) may be substituted for a shade tree.
  - iv. Minimal removal of existing trees will be required.
- e. If there is a walkway or path on the front lawn, the materials should be brick, stone, or tinted concrete. Gravel and asphalt are not preferred.
- f. Exterior stairs and stoops may be either wood or concrete. If concrete, they should have sandstone colored treads, and be topped with a sandstone colored slab.

g. Acceptable fence styles:

- i. Picket – Wood pickets are usually appropriate for original farm structures, New England Greek Revival, Colonial Revival, neo-Colonial, Cape Cod Cottage, Contemporary Deck, Split-Level, and Bungalow.
- ii. Lattice – Usually appropriate for New England Colonial Revival or Modern styles and should be of wood.
- iii. Board – Usually appropriate for New England Colonial Revival, Cape, Modern, or hybrid styles.
- iv. Masonry Walls – Usually appropriate for all styles and neighborhoods if the construction method and materials match the house.
- v. Natural wood basket weave fences, open decorative concrete block walls, chain link fences, split rail fences, and snow fencing are not preferred.

h. Railings:

- i. All railings must be of cedar, redwood, or cypress. Pressure-treated wood is not permitted.
- ii. The maximum spacing between spindles is four (4) inches clear.
- iii. All railings must be a minimum of thirty-six (36) inches tall.
- iv. All posts must be finished with a cap detail.

i. One unit must be wheelchair accessible. Graded access for wheelchairs is preferred. Wheelchair ramps may be included on the rear elevation.

j. Berms and other land forms may be employed for added screening and sound isolation.

## **11. MATERIALS**

a. Brick, wood siding, fiber cement siding, wood shingle, stone, or other natural materials are acceptable on the front, rear, and side elevations. Vinyl, E.I.F.S. and aluminum siding are prohibited.

b. Roofs:

- i. Shingles shall be dimensional, architectural grade fiberglass shingles.
- ii. Shingles must have a minimum thirty (30) year warranty; forty (40) year warranty is preferred.
- iii. Flat roofs may be EPDM or tar and gravel.

c. Porches, decks, and ramps:

Pressure-treated wood may be used only on the structural members. Cedar, redwood, cypress or recycled composite decking must be used for all finish elements, such as posts, railings, fascia and trim,

stair risers and treads, and any other visible features. No aluminum or PVC shall be used for posts or railings.

d. Mail boxes

The neighbors prefer not to gang mailboxes for the total complex or even for clusters of units.

## **12. COLORS**

Colors of exterior materials shall be chosen in accordance with the guidelines set forth by the NSRA Committee.

## **13. LIGHTING**

Exterior illumination shall be limited to lamp post lighting only. Lighting shall be appropriate to the neighborhood and compliant with Wayland Zoning By Laws for Cluster Developments.

## **14. ENTRANCE DESIGN/SIGNAGE**

a. Any proposed signage for the housing shall be compliant with the Wayland Zoning By-Laws and subject to review by the Wayland Zoning Board of Appeals.

b. The Town of Wayland is obligated to provide and install signage at the front of the site declaring that the Nike Site was made available to the Town from the Federal Government. The Town will provide and install this sign at its own expense.

## RFP Green Guidelines

### Green Guidelines

Maximizing operational efficiency while minimizing environmental impacts can be an important part of the design and ultimate construction of this project. The developer is encouraged to design, construct and have the homes operate in a manner in which there is an optimization of environmental, energy, durability, affordability and occupant health concerns. The Town encourages the developer to apply for grants from the Mass Technology Council and other funding sources for renewable energy innovation on this project. The Town understands that the following Green Building Guidelines shall be implemented only in such a way as not to compromise the financial viability of the development.

<b>Sustainable Sites</b>	
Minimize Disturbed Area of Site	
Erosion Controls during construction	
Protect trees on site during construction	
Save and reuse all topsoil	
Minimize Landscape Water Demand- drought resistant plantings	
Install Permeable Material for at least 65% of Land	
Use permeable paving materials	
<b>Water Efficiency</b>	
Rainwater Harvesting System	
High Efficiency Fixtures (Toilets, Showers and Faucets)	
Grey water re-use system	
<b>Indoor Environmental Quality</b>	
Combustion Venting- Space Heating and DHW Equipment with Closed Power-Exhaust and CO Monitor	
Outdoor ventilation- meets ASHRAE Std. 62.2	
Local Exhaust- meets ASHRAE Std 62.2	
Supply Air Distribution- Meets ACCA Manual D	
Supply Air Filtering- >= MERV filters w/ adequate system air flow	
Contaminant Control- Seal-off ducts during construction	
Vehicle emissions protection- No air handling equipment or return ducts in garage, tightly sealed shared surfaces between garage and home	
Flooring- 25%- 100% recycled-content carpet, tacked not glued	
Finished with least toxic treatment	
Formaldehyde free particle board for countertops, cabinets	
Low toxicity, solvent free adhesives, sealants and paints used throughout, including water-based urethane finishes on wood floors and on particle	

board (< 150 grams/liter of VOC)	
Hard-wired carbon monoxide detectors	
<b>Material Efficient Framing</b>	
Overall waste factor for framing order shall be no more than 10%	
Durability Plan- detailed durability plan (pre-construction)	
Environmentally Preferable Products- tropical hardwoods, if used, must be FSC, salvaged, reclaimed or refurbished materials for 10% of structural materials and 10% of finish materials	
Waste Management- Max of 2.5 lbs psf of construction waste sent to landfill.	
Recycle job site waste	
<b>Energy and Atmosphere</b>	
ENERGY STAR Home- Meets ENERGY STAR for Homes with third-party testing	
Insulation- Third-party inspection of insulation installation, at least HERS Grade II	
Air Infiltration- Third party envelope air leakage tested $\leq .35$ ACH	
Windows- meets ENERGY STAR for windows	
Doors- exterior doors insulated at R-5 or greater	
Duct tightness- Third party duct leakage tested $\leq 5.0$ CFM25/100 SF to outside	
Roof must be made of 40 year roofing material	
Roof must be made of recycled-content roofing material	
Space Heating and Cooling- ENERGY STAR for HVAC w/ manual J & refrigerant charge test. 90% or higher energy efficient furnace with sealed combustion air or other energy efficient system	
Exterior walls must have window and door flashing	
Exterior walls must use recycled and/or recovered-content siding on 50% or more of the exterior	
Air conditioner with Seasonal Energy Efficient rating of 12 or higher with R410A or other non HCFC refrigerants	
Water heating- improved water heating distribution system	
Gas water heater with energy factor of .60 or greater	
Lighting- Energy efficient fixtures and controls	
Appliances- ENERGY STAR	
Renewable Energy- renewable electric generation system	
Refrigerant Management- minimize ozone depletion and global warming contributions	
<b>Homeowner Awareness</b>	
Homeowner Education- Basic Owner's manual and walk through of home	

**CERTIFICATE OF NON-COLLUSION**

The undersigned hereby certifies under the penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certificate, the word person shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

\_\_\_\_\_  
Signature of person signing the bid or proposal

\_\_\_\_\_  
Name of business

\_\_\_\_\_

**CERTIFICATE OF TAX COMPLIANCE**

Pursuant to Ch.62C, S.49A(b) of the Massachusetts General Laws, I,

\_\_\_\_\_, authorized signatory for  
(name)

\_\_\_\_\_, do hereby certify under the pains and penalties  
(name of Consultant)

of perjury that said contractor has complied with all laws of the Commonwealth of Massachusetts relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

Consultant

By: \_\_\_\_\_  
(Signature of authorized representative)

\_\_\_\_\_  
(Title)

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