
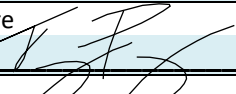


Appendix 1: Cover Sheet Form

SOLICITATION, OFFER AND AWARD		3. DATE ISSUED	
1. PROJECT NAME	2. TYPE OF SOLICITATION		
Holborn Street Package NHI	<input type="checkbox"/> Invitation for Bids <input checked="" type="checkbox"/> Negotiated (RFP)	March 9, 2020	
4. ISSUED BY: City of Boston, Department of Neighborhood Development 26 Court Street, 11 th Floor Boston, MA 02108		5. ADDRESS OFFER TO: (If other than item 4)	
SOLICITATION			
6. SEALED OFFERS (original and 3 copies) will be received at the place specified in item 4 until 4:00 p.m. (EST) April 14, 2020 . CAUTION: Late submissions, Modifications, and Withdrawals: See Section 10. All offers are subject to all terms and conditions contained in this solicitation.			
7. For Information Contact:	7a. Name Anne Conway	7b. Telephone (617)- 635-0182	7c. Fax (617) 635-0383
			7d. E-mail Anne.conway@boston.gov
OFFER			
8. In accordance with the terms of this RFP, the undersigned agrees, if this offer is accepted, to furnish any and all supporting documentation upon request by DND.			
OFFER PRICE:	\$ _____	This is \$100 per parcel for the affordable homes plus the land price calculated for the Market-Rate homes in Appendix 2	
9. SUBMISSION CHECKLIST			
<input type="checkbox"/>	Cover Sheet Form (Appendix 1)	<input type="checkbox"/>	
<input type="checkbox"/>	Financials: Affordable Homes (Appendix 2)	<input checked="" type="checkbox"/> Y/N	Developer's Qualifications Statement included
<input type="checkbox"/>	Key Construction Elements (Appendix 3)	<input checked="" type="checkbox"/> Y/N	Developers Qualification Statement included with a different NHI Package: _____
<input type="checkbox"/>	Development Timetable (Appendix 4)		
<input type="checkbox"/>	My signature below signifies that I have read the Terms & Conditions as specified in Appendix 6 and that I will abide by those requirements should I be selected as developer under this Request for Proposals		
10. ADDRESS OF OFFEROR _____ _____ _____		11. Name and Title of Authorized Signatory (Print) Tom Pagos	
		12. Signature 	
13. Phone Number _____		14. Offer Date _____	

APPENDIX 2: DEVELOPMENT FINANCIALS FOR AFFORDABLE HOMES

Instructions: Complete all shaded boxes, all other boxes will self-calculate. Refer to Tab 1 For Market-Rate Financials

I. DEVELOPMENT BUDGET					
PROPERTY ADDRESS	15-15A Holborn	15-15A Holborn	17 Holborn	14-14A Holborn	ALL
HOUSE MODEL	Single Family Type A2	Two Family Type B	Single Family Type A3	Two Family Type B	This Page
GROSS SQUARE FOOTAGE	1,865	2,994	1,684	2,994	9,537
NET SQUARE FOOTAGE	1,432	1,924	1,225	1,924	6,505
1 LAND ACQUISITION	\$100	\$100	\$100	\$100	\$400
CONSTRUCTION					
2 Direct Construction Costs	\$431,044	\$693,622	\$389,128	\$693,622	\$2,207,416
3 Hard Cost Contingency	\$21,552	\$34,681	\$19,456	\$34,681	\$110,371
4 Allocation for potential soil remediation					\$0
5 Other Contingency					\$0
6 Subtotal: Construction Expense	\$452,596	\$728,303	\$408,584	\$728,303	\$2,317,787
GENERAL DEVELOPMENT COSTS					
7 Survey/Siting & Permits	\$9,052	\$14,566	\$8,172	\$14,566	\$46,356
8 Architect	\$18,104	\$29,132	\$16,343	\$29,132	\$92,711
9 Legal	\$9,052	\$14,566	\$8,172	\$14,566	\$46,356
10 Title & Recording	\$2,263	\$3,642	\$2,043	\$3,642	\$11,589
11 Appraisal	\$2,500	\$2,500	\$2,500	\$2,500	\$10,000
12 Real Estate Taxes	\$1,000	\$1,000	\$1,000	\$1,000	\$4,000
13 Insurance	\$6,789	\$10,925	\$6,129	\$10,925	\$34,767
14 Construction Loan Interest	\$10,427	\$16,712	\$9,424	\$16,712	\$53,274
15 Construction Inspection Fees	\$1,500	\$1,500	\$1,500	\$1,500	\$6,000
16 Utilities & Back Charges					\$0
17 Fees to Construction Lender	\$4,526	\$7,283	\$4,086	\$7,283	\$23,178
18 Other:					\$0
19 Other:					\$0
20 Other:					\$0
21 Other:					\$0
22 Soft Cost Contingency	\$3,432	\$5,359	\$3,125	\$5,359	\$17,275
23 Subtotal: General Development	\$68,645	\$107,184	\$62,492	\$107,184	\$345,506
24 DEVELOPER FEE & OVERHEAD	\$56,575	\$91,038	\$51,073	\$91,038	\$198,685
25 TOTAL COST TO BUILD AS SPECIFIED	\$577,915	\$926,625	\$522,250	\$926,625	\$2,953,416
RECOMMENDED COST SAVING REVISIONS TO SPECIFICATIONS¹					
Describe	Savings	Savings	Savings	Savings	Savings
26					\$0
27					\$0
28					\$0
29					\$0

¹ DND may select some or all of these cost-saving measures to enhance financial feasibility. You are encouraged to more fully explain the advantages of your proposed changes on a separate sheet, clearly marked "Cost-Saving Recommendations"

II. CONSTRUCTION FINANCING PLAN					
PROPERTY ADDRESS					ALL
HOUSE MODEL					This Page
30 TOTAL COST TO BUILD (Line 25)	\$577,915	\$926,625	\$522,250	\$926,625	\$2,953,416
31 Construction Loan ¹	\$521,341	\$835,587	\$471,177	\$835,587	\$2,663,692
32 Equity: Deferred Developer Fees/OH	\$56,575	\$91,038	\$51,073	\$91,038	\$289,723
33 Other Equity:					\$0
34 Other Equity:					\$0
35 TOTAL CONSTRUCTION FINANCING	\$577,915	\$926,625	\$522,250	\$926,625	\$2,953,416

¹ Part of this construction financing will come from advances of DND subsidy funds during the construction period. Amount of DND funding not yet determined.

APPENDIX 2: DEVELOPMENT FINANCIALS FOR AFFORDABLE HOMES

Instructions: No data needed - all boxes will self-calculate

I. COMBINED DEVELOPMENT BUDGET		ALL
		AFFORDABLE
	GROSS SQUARE FOOTAGE	9,537
	NET SQUARE FOOTAGE	6,505
1	LAND ACQUISITION	\$400
	CONSTRUCTION	
2	Direct Construction Costs	\$2,207,416
3	Hard Cost Contingency	\$110,371
4	Allocation for potential soil remediation	\$0
5	Other Contingency	\$0
6	Subtotal: Construction Expense	\$2,317,787
	GENERAL DEVELOPMENT COSTS	
7	Survey/Siting & Permits	\$46,356
8	Architect	\$92,711
9	Legal	\$46,356
10	Title & Recording	\$11,589
11	Appraisal	\$10,000
12	Real Estate Taxes	\$4,000
13	Insurance	\$34,767
14	Construction Loan Interest	\$53,274
15	Construction Inspection Fees	\$6,000
16	Utilities & Back Charges	\$0
17	Fees to Construction Lender	\$23,178
18	Other:	\$0
19	Other:	\$0
20	Other:	\$0
21	Other:	\$0
22	Soft Cost Contingency	\$17,275
23	Subtotal: General Development	\$345,506
24	DEVELOPER FEE & OVERHEAD	\$198,685
25	TOTAL COST TO BUILD AS SPECIFIED	\$2,953,416
	RECOMMENDED COST SAVING REVISIONS TO SPECIFICATIONS¹	
	Describe	Savings
26		\$0
27		\$0
28		\$0
29		\$0

¹ DND may select some or all of these cost-saving measures to enhance financial feasibility. You are encouraged to more fully explain the advantages of your proposed changes on a separate sheet, clearly marked "Cost-Saving Recommendations"

II. CONSTRUCTION FINANCING PLAN		ALL
		AFFORDABLE
30	TOTAL COST TO BUILD (Line 25)	\$2,953,416
31	Construction Loan ¹	\$2,663,692
32	Equity: Deferred Developer Fees/OH	\$289,723
33	Other Equity:	\$0
34	Other Equity:	\$0
35	TOTAL CONSTRUCTION FINANCING	\$2,953,416

¹ Part of this construction financing will come from advances of DND subsidy funds during the construction period. Amount of DND funding not yet determined.

APPENDIX 3: Hard Costs- Affordable Homes

PROPERTY	15-15A Holborn	15-15A Holborn	17 Holborn	TOTAL
HOUSE MODEL	Single Family Type A2	Two Family Type B	Single Family Type A3	All Affordable
GROSS SQUARE FOOTAGE	1865	2994	1684	6,543
NET SQUARE FOOTAGE	1432	1924	1225	4,581
DIVISION 2: SITEWORK				
1 Earthwork-Excavation & Backfill	\$21,876	\$35,120	\$19,753	\$76,749
2 Utilities-Water,Gas, Electric, Phone, Cable	\$25,327	\$40,659	\$22,869	\$88,854
3 Paving	\$8,393	\$13,473	\$7,578	\$29,444
4 Road and Walks	inc/above	inc/above	inc/above	#VALUE!
5 Site Improvements	\$4,663	\$7,485	\$4,210	\$16,358
6 Geotechnical Conditions	\$10,258	\$16,467	\$9,262	\$35,987
7 Landscaping	\$3,450	\$5,539	\$3,115	\$12,105
8 Environmental Remediation	\$6,061	\$9,731	\$5,473	\$21,265
9 Demolition	\$3,500	\$4,250	\$3,360	\$11,110
10 Other On-Site Improvements	\$2,500	\$4,000	\$1,750	\$8,250
11 Subtotal: Sitework	\$86,027	\$136,723	\$77,370	\$300,120
DIVISION 3: CONCRETE				
12 Subtotal: Concrete	\$31,742	\$50,988	\$28,662	\$111,392
DIVISION 4: MASONRY				
13 Subtotal Masonry	\$6,695	\$10,752	\$6,049	\$23,497
DIVISION 5: METALS				
14 Subtotal: Metals	\$2,798	\$5,481	\$2,779	\$11,057
DIVISION 6: CARPENTRY				
15 Rough Carpentry	\$80,009	\$128,486	\$72,244	\$280,738
16 Finish Carpentry & Millwork	\$11,750	\$18,869	\$10,616	\$41,234
17 Cabinets	\$8,635	\$13,867	\$7,802	\$30,303
18 Subtotal: Carpentry	\$100,393	\$161,221	\$90,661	\$352,274
DIVISION 7: THERMAL & MOISTURE PROTECTION				
19 Dampproofing & Waterproofing	\$7,479	\$12,010	\$6,757	\$26,245
20 Building Insulation	\$13,820	\$22,193	\$12,478	\$48,491
21 Roofing	\$2,238	\$3,594	\$2,021	\$7,853
22 Sheet Metal & Flashing	incl above	incl above	incl above	#VALUE!
23 Exterior Siding	\$17,326	\$27,814	\$15,644	\$60,784
24 Subtotal: Thermal & Moisture Protection	\$40,862	\$65,611	\$36,900	\$143,374
Division 8: DOORS & WINDOWS				
25 Doors, Frames & Hardware	\$12,551	\$20,156	\$11,340	\$44,048
26 Windows	\$10,519	\$16,892	\$9,503	\$36,914
27 Glazing	n/a	n/a	n/a	#VALUE!
28 Subtotal: Doors & Windows	\$23,070	\$37,048	\$20,843	\$80,962
DIVISION 9: FINISHES				
29 Gypsum Wall Board & Plaster	\$15,200	\$24,409	\$13,725	\$53,334
30 Tile	\$14,398	\$23,121	\$13,008	\$50,527
31 Wood Flooring	\$18,706	\$30,040	\$16,901	\$65,646
32 Painting	\$9,232	\$14,825	\$8,341	\$32,398
33 Subtotal: Finishes	\$57,535	\$92,396	\$51,974	\$201,905
DIVISION 10: SPECIALTIES				
34 Subtotal: Specialties	\$1,772	\$2,845	\$1,601	\$6,218
DIVISION 11: Equipment				
35 Appliances	\$5,875	\$9,255	\$5,207	\$20,336
36 Special Equipment	n/a	n/a	n/a	#VALUE!
37 Subtotal: Equipment	\$5,875	\$9,255	\$5,207	\$20,336
DIVISION 12: FURNISHING				
38 Window Treatments	\$2,835	\$4,552	\$2,561	\$9,948
39 Other Furnishings	\$1,200	\$2,200	\$1,000	\$4,400
40 Subtotal: Furnishing	\$4,035	\$6,752	\$3,561	\$14,348
DIVISION 13: SPECIAL CONSTRUCTION				
41 Subtotal: Special Construction	\$0	\$0	\$0	\$0
DIVISION 14: CONVEYING SYSTEMS				
42 Subtotal: Conveying Systems	\$0	\$0	\$0	\$0
DIVISION 15: MECHANICAL				
43 HVAC	\$20,310	\$32,605	\$18,339	\$71,253
44 Plumbing & Hot Water	\$21,112	\$33,892	\$19,097	\$74,100
45 Fire Protection	\$11,250	\$17,964	\$10,104	\$39,318
46 Subtotal: Mechanical	\$52,672	\$84,461	\$47,539	\$184,672
DIVISION 16: ELECTRICAL				
47 Subtotal: Electrical	\$17,568	\$30,090	\$15,981	\$63,639
48 TOTAL COST TO BUILD AS SPECIFIED	\$431,044	\$693,622	\$389,128	\$1,513,793

APPENDIX 3: Hard Costs - Affordable Homes

Instructions: Complete all shaded boxes, all other boxes will self-calculate.

PROPERTY	14-14A Holborn	TOTAL
HOUSE MODEL	Two Family Type B	All Market Rate
GROSS SQUARE FOOTAGE	2994	2,994
NET SQUARE FOOTAGE	1924	1,924
DIVISION 2: SITEWORK		
1 Earthwork-Excavation & Backfill	\$35,120	\$35,120
2 Utilities-Water,Gas, Electric, Phone, Cable	\$40,659	\$40,659
3 Paving	\$13,473	\$13,473
4 Road and Walks	inc/above	#VALUE!
5 Site Improvements	\$7,485	\$7,485
6 Geotechnical Conditions	\$16,467	\$16,467
7 Landscaping	\$5,539	\$5,539
8 Environmental Remediation	\$9,731	\$9,731
9 Demolition	\$4,250	\$4,250
10 Other On-Site Improvements	\$4,000	\$4,000
11 Subtotal: Sitework	\$136,723	\$136,723
DIVISION 3: CONCRETE		
12 Subtotal: Concrete	\$50,988	\$50,988
DIVISION 4: MASONRY		
13 Subtotal Masonry	\$10,752	\$10,752
DIVISION 5: METALS		
14 Subtotal: Metals	\$5,481	\$5,481
DIVISION 6: CARPENTRY		
15 Rough Carpentry	\$128,486	\$128,486
16 Finish Carpentry & Millwork	\$18,869	\$18,869
17 Cabinets	\$13,867	\$13,867
18 Subtotal: Carpentry	\$161,221	\$161,221
DIVISION 7: THERMAL & MOISTURE PROTECTION		
19 Dampproofing & Waterproofing	\$12,010	\$12,010
20 Building Insulation	\$22,193	\$22,193
21 Roofing	\$3,594	\$3,594
22 Sheet Metal & Flashing	incl above	#VALUE!
23 Exterior Siding	\$27,814	\$27,814
24 Subtotal: Thermal & Moisture Protection	\$65,611	\$65,611
Division 8: DOORS & WINDOWS		
25 Doors, Frames & Hardware	\$20,156	\$20,156
26 Windows	\$16,892	\$16,892
27 Glazing	n/a	#VALUE!
28 Subtotal: Doors & Windows	\$37,048	\$37,048
DIVISION 9: FINISHES		
29 Gypsum Wall Board & Plaster	\$24,409	\$24,409
30 Tile	\$23,121	\$23,121
31 Wood Flooring	\$30,040	\$30,040
32 Painting	\$14,825	\$14,825
33 Subtotal: Finishes	\$92,396	\$92,396
DIVISION 10: SPECIALTIES		
34 Subtotal: Specialties	\$2,845	\$2,845
DIVISION 11: Equipment		
35 Appliances	\$9,255	\$9,255
36 Special Equipment	n/a	#VALUE!
37 Subtotal: Equipment	\$9,255	\$9,255
DIVISION 12: FURNISHING		
38 Window Treatments	\$4,552	\$4,552
39 Other Furnishings	\$2,200	\$2,200
40 Subtotal: Furnishing	\$6,752	\$6,752
DIVISION 13: SPECIAL CONSTRUCTION		
41 Subtotal: Special Construction	\$0	\$0
DIVISION 14: CONVEYING SYSTEMS		
42 Subtotal: Conveying Systems	\$0	\$0
DIVISION 15: MECHANICAL		
43 HVAC	\$32,605	\$32,605
44 Plumbing & Hot Water	\$33,892	\$33,892
45 Fire Protection	\$17,964	\$17,964
46 Subtotal : Mechanical	\$84,461	\$84,461
DIVISION 16: ELECTRICAL		
47 Subtotal: Electrical	\$30,090	\$30,090
48 TOTAL COST TO BUILD AS SPECIFIED	\$693,622	\$693,622

Appendix 4: Development Timetable

With an increasing need for additional new affordable homeownership housing in Boston, there is an urgency to start construction on NHI developments. DND will make available any existing surveys and environmental testing, site plans, zoning information, and CAD files of home designs (which have been reviewed by the community) in an effort to accelerate the predevelopment period. DND will also assist the designated developer with the community process and zoning board of appeals (if required) in order to streamline the permitting process. Therefore, DND has established a development schedule for the project that must be adhered to:

Presentation by Preferred Developer at Community Meeting	3 weeks from Application Due Date
Submission to PFC by DND for Developer Designation.	2 months from Application Due Date
Application to Inspectional Services Department:	2 months from Developer Designation
If ZBA:	3 months from ISD App.
Permits:	2 months from ZBA approval
Bank Commitment:	4 months (or 8 months if ZBA) from Developer Designation Date
DND and Bank Project Closing:	6 months (or 10 months if ZBA) from Developer Designation Date
Start Construction:	6 months (or 10 months if ZBA) from Developer Designation Date

Appendix 5: General Project Requirements

The following General Project Requirements are required of all Neighborhood Homes developments.

1. STATUTORY COMPLIANCE REQUIREMENTS:

All purchasers of real estate from DND must be in compliance with the following statutory requirements:

Tax Delinquency Review. The City of Boston Collector-Treasurer's Office will conduct a review of the selected Applicant's property tax history. The selected Applicant cannot be delinquent in the payment of taxes on any property owned within the City of Boston. The selected Applicant must cure any such delinquency prior to the conveyance of the Property. If the selected Applicant has been foreclosed upon by the City of Boston for failure to pay property taxes, then said Applicant will be deemed ineligible for conveyance of the Property offered pursuant to this RFP, unless such Applicant promptly causes the decree(s) or judgment(s) of foreclosure to be vacated by the Land Court and the City made whole. DND, in its sole discretion, shall determine the timeliness of the selected Applicant's corrective action in this regard and will disqualify the Applicant if vacating the tax-title foreclosure is not prosecuted expeditiously and in good faith, so as to avoid undue delay.

Water and Sewer Review. The City of Boston Water and Sewer Commission will conduct a review of the selected Applicant's water and sewer account(s). The selected Applicant cannot be delinquent in the payment of water and sewer charges on any property owned within the City of Boston and, if found to be delinquent, must cure such delinquency prior to a vote request to the Public Facilities Commission for conveyance of the Property.

Property Portfolio Review. The City will review the selected Applicant's portfolio of property owned to ascertain whether there has/have been abandonment, Inspectional Services Department (ISD) code violations or substantial disrepair. If unacceptable conditions exist in the selected Applicant's property portfolio, DND may deem the selected Applicant ineligible for conveyance of the Property.

Prior Participation Review. The City will review the Applicant's prior participation in any City of Boston programs, including DND programs, to ascertain Applicant's previous performance. Applicants found to have not fulfilled their duties or obligations under previous agreement with the City may be deemed to be ineligible for conveyance of the Property.

Employee Review. Neither the Applicant, nor any of the Applicant's immediate family, nor those with whom s/he has business ties may be currently, or have been within the last twelve (12) months, an employee, agent, consultant, officer, or an elected official of the City of Boston, including DND. An "immediate family member" shall include parents, spouse, siblings or children, irrespective of their place of residence. Any Applicant who fails to satisfy this requirement may be deemed to be ineligible for conveyance of the Property.

Equal Opportunity Housing. The City administers its programs in accordance with federal, state and local equal opportunity and fair housing laws, regulations and requirements. This includes affirmatively advertising and providing equal access to information regarding housing and development opportunities. The Boston Fair Housing Commission will screen all Applicants. Any Applicant who fails to satisfy this requirement may be deemed to be ineligible for conveyance of the Property.

2. OFFER PRICE.

The minimum acceptable offer price for the property is \$100 per parcel. Religious Organizations – In accordance with Massachusetts Constitution religious organizations must pay 100% of the appraised value of the any public property as established by a qualified appraiser.

3. TITLE.

While DND has conducted title examinations of the properties, DND makes no warranty or representations as to the accuracy of such reports and recommends that Applicants conduct their own title examinations.

4. SURVEYS.

When available, DND will provide complete predevelopment site surveys to the selected developer including property line, utility and topographical information. The surveyor will be authorized to reissue the complete survey to the selected developer.

5. MISCELLANEOUS FEES.

Applicants are responsible for budgeting for all miscellaneous fees, including fees at the Department of Public Works, Boston Water and Sewer Commission, Inspectional Services Department, as appropriate. These fees should be included in the budgets for the affordable and market rate homes.

6. PROJECT MANAGEMENT

Performance under this Request for Proposals will be closely coordinated with the Project Manager and any other staff member designated by DND. Questions pertaining to requests for technical guidance and direction should be directed to the assigned Project Manager, or other designated DND representative. However, such DND representative(s) will only provide necessary background information and guidance; they will under no circumstances change the terms and conditions of this engagement. The Successful Applicant will confirm all scheduled project milestones with DND prior to initiating work.

7. APPLICANT'S DESIGNATED REPRESENTATIVE.

The Successful Applicant shall designate qualified representatives as point of contact to assist DND as needed throughout the engagement. Names, phone numbers, and e-mail addresses of proposed representatives are to be listed in the proposal.

8. TIMELY DEVELOPMENT.

The Successful Applicant will produce an appropriate plan of development that satisfies the City's needs within specified time frames. If the Property has not been developed according to the proposal specifications and sold to a homebuyer within two (2) years, DND may choose to grant additional time for performance or to rescind the contract, at its discretion. The determination of whether services were performed satisfactorily is at the sole discretion of DND.

9. PROPERTY MANAGEMENT.

The Successful Applicant will be ultimately responsible for the condition of the property. They must take any steps necessary to keep the property free of trash, debris, and snow.

10. FAIR HOUSING.

DND administers its development programs in accordance with federal, state and local equal opportunity and fair housing laws, regulations and requirements. This includes affirmatively furthering fair housing and providing equal access to information about development opportunities. Pursuant to this policy, all NHI homes will be affirmatively marketed in accordance with the NHI Blanket Affirmative Marketing Plan.

11. BOSTON JOBS & LIVING WAGE ORDINANCE.

If the Successful Applicant is a for-profit firm with 25 or more full time employees, or a non-profit firm with 100 or more employees, you will be required to make best efforts to adhere to the Boston Jobs and Living Wage Ordinance, and the provisions of the Promulgated Regulations, including the "First Source Hiring Agreement" provisions of said Ordinance.

Appendix 6: Terms & Conditions

The City, acting by and through its Public Facilities Commission by the Director of DND, is soliciting proposals for the acquisition of, and funding for, the properties located in the Dorchester area. The City will award a contract to the highest-rated, most advantageous proposal based on the above-listed criteria.

DND will review and evaluate proposals promptly after the submission deadline specified on the Proposal Cover Page.

DND reserves the right to award contracts to multiple Applicants, to reject any or all proposals, to waive any informality in the proposal process, or to cancel in whole, or in part, this solicitation if it is in the best interest of the City to do so. A proposal may be rejected if it is incomplete, illegible, or conditional. An acceptable offer will not include conditional requirements, such as:

- Altering the square footage of the Property;
- Proposing a use for the Property beyond mixed-income housing; or
- Proposing a use for the Property that does not benefit the residents of Boston.

DND reserves the right to obtain opinion of Counsel regarding the legality and sufficiency of proposals. The contract will be awarded, if at all, to the responsive, responsible Applicant(s) that receive the highest overall composite rating in the evaluation process.

Assumption of Risk. The City accepts NO financial responsibility for costs incurred by Applicants in responding to this Request for Proposals. Applicants are responsible for any and all risks and costs incurred in order to provide the City with the required submission.

Public Property. Proposals submitted to DND will become property of the City. After opening, all proposals become public documents and are subject to the requirements of the Massachusetts Public Records Law (M.G.L. c. 4, § 7(26)).

Terms of Sale. After a final proposal has been selected, the Successful Applicant will be contacted by DND to finalize the terms of the sale. The terms of the sale will and MUST be consistent with this Request for Proposals, including the advertised purchase price and Project Requirements.

“As Is” Conveyance. DND will convey the property in “AS IS CONDITION” without warranty or representation as to the status or quality of title. The Successful Applicant/Buyer shall, to the fullest extent permitted by law, assume any and all liability for environmental remediation and removal of soils pursuant to Chapter 21E of the Massachusetts General Laws. Finally, any and all site improvements, such as utility connections and/or street repairs, are the responsibility of the Successful Applicant.

Negotiations. DND reserves the right to negotiate for changes to the selected proposal. These negotiations may encompass values described in the Request for Proposal, as well as values and items identified during the Request for Proposal and negotiation process. On the basis of these negotiations, DND may decline to sell the property even after the selection process is complete and negotiations have begun.

Closing. The Successful Applicant must execute a Purchase and Sales Agreement and then close on the sale within ninety (90) days of the date of execution, unless otherwise agreed upon (in writing) by DND. Failure to comply with the obligations of closing may result in the rescission of any prior agreement(s) with DND regarding the Property.

Restrictions on Transfer. All properties sold under the Neighborhood Home Initiative will have a deed restriction requiring owner-occupancy. Homes that are designated as “affordable” will also have a 50-year deed rider and mortgage on the end homebuyer that requires owner-occupancy, prohibits condominium conversion, and limits future resale prices. The Successful Applicant will only be permitted to transfer the property to a homebuyer under