CITY OF NEWTON
PURCHASING DEPARTMENT

CONTRACT FOR THE PLANNING DEPARTMENT

***REQUEST FOR PROPOSALS*:**

Newton Housing Strategy Consulting Services

RFP #15-65

Proposal Due Date: February 19, 2015 at 11:00 a.m.

FEBRUARY 2015

Setti D. Warren, Mayor

CITY OF NEWTON

PURCHASING DEPARTMENT

REQUEST FOR PROPOSAL #15-65

This City of Newton Request For Proposals (RFP) invites sealed proposals from Consultants for

NEWTON HOUSING STRATEGY CONSULTNG SERVICES

Proposals will be received until **11:00 a.m., Thursday, February 19, 2015**
at the Purchasing Department, Room 201, Newton City Hall, 1000 Commonwealth Ave., Newton, MA 02459. Immediately following the deadline for bids all bids received within the time specified will be publicly opened and read aloud.

Documents associated with theis RFP (Contract Documents) will be available online at the City's website: **www.newtonma.gov/bids** after: **10:00 a.m., February 5, 2015.**

Proposers are responsible for downloading the specifications from the City's web site at **www.newtonma.gov/bids** . Proposers are requested to email the Purchasing Department (purchasing@newtonma.gov) their Company Name, Address, Email address, Phone & Facsimile number and what bid # (i.e. #15-65) they have downloaded.

The term of the awarded contract shall extend from the day of execution through December 30, 2015.

As this is an RFP, proposers shall submit a technical, or non-price proposal, which includes everything responsive to this RFP except the proposed contract price, and a price proposal.

There is no specific form for the technical proposal, although it should be responsive to all information requested in the RFP. The price proposals shall be submitted on the Price Proposal #15-65 form included in this RFP.

All proposals shall be submitted as (i) for the technical proposal, one ORIGINAL and four (4) COPIES and (ii) for the price proposal, ONE COPY. In addition, a digital DVD copy of the technical proposal is requested, but not required.

Proposers' attention is directed to the requirements of the City's Supplemental Equal Employment Opportunity, Anti-Discriminaton and Affirmative Action Program and also to the Minority/Women Business Enterprise Plan, December 1999, all of which are available on the Purchasing Department's web page. In the event of conflict between any of the above listed policies, the stricter policy shall apply.

All City of Newton bids are available on the City's web site, **www.newtonma.gov/bids .** It is the sole responsibility of the contractor downloading these bids to ensure they have received any and all addenda prior to the bid opening. Addenda will be available online within the original bid document as well as a separate file. If you download bids from the internet site and would like to make it known that your company has done so, you are requested to email the Purchasing Department (purchasing@newtonma.gov) the Company Name, Address, Email address, Phone & Facsimile number and what bid # (i.e. #15-65) has been downloaded.

The City will reject any and all proposals in accordance with the above referenced General Laws. In addition, the City reserves the right to waive minor informalities in any or all bids, or to reject any or all proposals (in whole or in part) if it be in the public interest to do so.

CITY OF NEWTON

Nicholas Read
Chief Procurement Officer
February 5, 2015

CITY OF NEWTON, MASSACHUSETTS
PURCHASING DEPARTMENT

February 5, 2015

REQUEST FOR PROPOSAL No. #15-65

NEWTON HOUSING STRATEGY CONSULTING SERVICES

I. DECISION TO USE COMPETITIVE SEALED PROPOSALS

The Chief Procurement Officer has determined that in order to select the most advantageous proposal for housing planning services for the City of Newton Planning and Development Department, comparative judgments of technical factors will be necessary. The City believes that the individual(s)/firm serving in this capacity must have a broad range of experience with Planning, Urban Design, and housing development. The RFP process will enable the city to provide higher ratings to consultants whose key project personnel have extensive experience providing similar services to other similarly situated cities and towns, particularly where they have been able to work within local objectives and policies. Further, the RFP selection process will enable the City to select consultant(s) that have demonstrated capability in interacting with the public and facilitating public processes, particularly around potentially contentious issues of housing development.

II. INSTRUCTIONS TO PROPOSERS

A. GOVERNING LAW and DEADLINE FOR SUBMISSION: All proposals must be submitted in accordance with Massachusetts General Laws Chapter 30B, Section 6, to the *Chief Procurement Officer* in the Purchasing Department, Newton City Hall, 1000 Commonwealth Avenue, Newton, MA 02459, no later than **11:00 a.m., February 19, 2015.**

Proposers shall provide ONE (1) ORIGINAL and FOUR (4) COPIES and, if able, **ONE (1) CD** of the TECHNICAL PROPOSAL and ONE (1) COPY of the PRICE PROPOSAL.

Envelopes shall be marked:

"**TECHNICAL PROPOSAL - RFP # 15-65 Newton Housing Strategy Consulting Services**"

Proposals must have information submitted in the same order of the criteria as listed in this RFP and pages shall be numbered in the bottom footer. Proposals must have a Table of Contents listing the page number providing documentation that demonstrates they have met each of the criteria listed.

Faxed proposals will not be accepted.

"PRICE PROPOSAL – RFP #15-65 Newton Housing Strategy Consulting Services"

IF PRICE IS INCLUDED IN THE TECHNICAL PROPOSAL, THE PROPOSAL MAY BE DISQUALIFIED.

The City of Newton's Purchasing Department converted to an email notification system of all upcoming public bids effective July 1, 2009. If you wish to receive notification of bids, please email us your company information to purchasing@newtonma.gov, otherwise you may view all City of Newton public bids online at **www.newtonma.gov/bids** .

B. QUESTIONS/ADDENDUMS: Inquiries involving procedural or technical matters should be directed in writing, no later than, Thursday, February 12, 2015 at 12:00 noon to:

purchasing@newtonma.govor facsimile (617) 796-1227
Chief Procurement Officer
Purchasing Department
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

ADDENDA: Each proposer is required to acknowledge any/all Addenda. Proposers shall place their acknowledgment as the first line of their Transmittal/Cover Page which shall be placed as the first page of the "Technical Proposal" as well as in the designated line of the "Price Proposal".
Addenda will be posted online and emailed to every individual or firm on record as having received a set of Contract Documents. If you have downloaded the RFP from the internet, you must make your company known to the City of Newton, Purchasing Department. by emailing or faxing your company's: name, address, phone, fax, and email address and include the RFP NUMBER (#13-24) and project title. It is the contractor's sole responsibility to ensure that they have received all addenda's prior to the RFP submittal date. Copies of addenda will be made available at the Purchasing Department and on the City's website: **www.newtonma.gov/bids**

If you have downloaded the RFP please be sure to email us (purchasing@newtonma.gov), your Name, Address, Phone and Fax numbers, email address and what RFP number and project title you have downloaded.

C. EXAMINATION OF DOCUMENTS: Each proposer shall be satisfied, by personal examination of the location of the contemplated services and by any other means, as to the requirements of the contemplated services to enable the intelligent preparation of this proposal. The proposer shall be familiar with all RFP Documents before submitting the proposals in order that no misunderstanding shall exist in regard to the nature and character of the contemplated services to be performed. No allowance will be made for any claim that the proposal is based on incomplete information as to the nature and character of the area or contemplated service.

D. The City of Newton will reject any and all proposals when required to do so by the above referenced General Laws. In addition, the City of Newton reserves the right to waive any informalities in any or all proposals, or to reject any or all proposals in whole or in part, if it be in the public interest to do so.

E. TIMELINE:

RFP Released	**: Thursday, February 5, 2015 @ 10:00 a.m.**
Questions submitted	**: Thursday, February 12, 2015 @ 12:00 noon**
Addenda w/Answers	**: Tuesday, February 17, 2015 @ 3:00 p.m.**
Proposal Submittal	**: Thursday, February 19, 2015 @ 11:00 a.m.**
Award	**: TBD**

III. EVALUATION OF PROPOSALS

There will be no public opening of submitted proposals. Following the deadline for receipt, the *Chief Procurement Officer* will open the Technical Proposals and prepare a register of those firms submitting proposals which shall be available for public inspection. All proposal contents shall be confidential until the evaluation is final and award has been made.

The Technical Proposals shall be evaluated by an evaluation committee designated by the *Chief Procurement Officer* who shall prepare their evaluation based on the criteria contained herein.

Upon completion of the technical evaluation, the *Chief Procurement Officer* will open and evaluate the Price Proposals. A contract will be awarded to the responsive and responsible proposer whose proposal is determined to be most advantageous taking into consideration cost and evaluative criteria. The City reserves the right to reject any and all proposals if to do so is determined to be in the best interests of the City.

All proposals shall remain firm for sixty (60) calendar days after the proposal opening.

City of Newton
Newton Housing Strategy

NARRATIVE DESCRIPTION

The City of Newton, Massachusetts seeks a qualified consultant(s) to provide expertise and assistance to the City of Newton Planning and Development Department in creating an operational housing strategy. The selected consultant(s) must have expertise in the theory and practice of local government management, familiarity with the local planning function, and expertise in the development of affordable and diverse housing.

Project Context

A city of approximately 85,000 people adjacent to Boston, Newton benefits from a prime location with good transportation access to the region's job centers in Boston, Cambridge, and the Route 128 corridor and an excellent public school system. The City also represents an ideal mixture of good community design with a number of historic walkable and transit-oriented village centers, attractive neighborhoods, and beautiful parks. These amenities have made Newton a highly desirable community and, coupled with the strong regional economy, there is a high demand for new residential and business development and a commensurate increase in traffic and related growth issues. The fact that the community is changing under these influences, and will continue to do so as the City's demographics, transportation choices, and businesses evolve over time, has led to the understanding that the City needs a detailed planning effort, beyond that of the 2007 Comprehensive Plan, that prepares the City for these changes and results in transportation improvements, diverse housing opportunities and a new zoning ordinance that provides fair and predictable control to protect Newton's essential character and quality of life.

Project Description

New housing development has been identified as a critical regional need in order to accommodate a growing economy, meet the needs of the region's changing demographic profile, and to provide affordable housing to ensure an equitable and economically diverse community. Housing development can be a complex and difficult issue though, particularly in an inner ring suburban city like Newton where much of the land is already developed such that new development will primarily take the form of infill and redevelopment. With many proposed development projects, the community's values of being an economically diverse community of opportunity appears to conflict directly with other community values related to the character of the City, with its pattern of village centers, single family neighborhoods, and "Garden City" moniker. The Newton Housing Strategy must offer a framework and guide for navigating these issues, allowing the City to offer the range of housing types it needs while preserving its character and quality of life. Further, the strategy must address the City's established goal of having at least 10% of its permanent housing stock affordable to low and moderate income households by 2021. This project will include the following tasks by the consultant:

1. Housing Needs and Market Analysis. The first task of the Newton Housing Strategy is to generate a comprehensive analysis of Newton's housing market compared to the needs of the community in terms of demographic changes, the gap between housing costs and the income of current and potential future residents, and the possibility of accommodating City of Newton employees, teachers, police, and firefighters, to live in the community they serve. The draft report should be made available for public review and comment through posting on the internet and public presentation. The City has been working with the Dukakis Center at Northeastern University on demographic analyses of existing conditions and future trends and the first of these reports is available through the City's website.

2. Policy & Regulatory Recommendations. Based on the findings of the needs assessment and market analysis, the consultant(s) should generate recommendations for policy and regulatory changes. These should address proposed changes to the Zoning Ordinance, including the inclusionary housing and accessory apartment sections, and other regulations as appropriate. Attention should be given to the fair housing implications of the existing ordinances including the protected classes identified under State and Federal fair housing law and proposed changes identified as necessary. These recommendations should be made available for public review and comment through posting on the internet and general public presentation. In addition, these recommendations should be presented to the Zoning and Planning Committee of the Board of Aldermen, the Planning Board, and the Newton Housing Partnership.

3. Development Site Recommendations. The consultant(s) will engage the public in the proactive identification of sites for development of new housing units, both affordable and market-rate, as necessary to meet the City's established goal and the housing needs identified in task #1 above. These sites should include specific developable lots as well as areas deemed generally appropriate for new development. To the extent possible and necessary, site identification should include feasibility analyses and general design approaches or ideas. Community engagement will use both public workshop and online approaches and should include a minimum of two public meetings to cover initial site identification discussions and presentation of a final map and associated development details.

4. Finance & Incentive Recommendations. The City is currently able to finance affordable housing development through Community Development Block Grant (CDBG), HOME, and Community Preservation Act (CPA) funds. In this task, the

consultant will provide recommendations to maximize the effective use of these funds towards meeting the City's established affordable housing goal and identified housing needs. The consultant(s) should also identify other possible financing tools as well as other incentives that the City could utilize generally, or in conjunction with task #2. These recommendations should be made available for public review and comment through posting on the internet and general public presentation. In addition, these recommendations should be presented to the Zoning and Planning and Finance Committees of the Board of Aldermen, the Planning Board, and the Newton Housing Partnership.

Minimum Criteria - provide documentation demonstrating your compliance with each criterion or reference what page number within your technical proposal this documentation can be found.

Any proposer submitting a proposal must satisfy the following minimum criteria. **Proposals which do not demonstrate compliance with the minimum criteria will not be further considered.**

1. The proposer and/or those employees of the proposer who will be assigned to this project shall have the following: (1) a Master's degree in Planning, Real Estate Development, or a closely related field.

2. A work portfolio demonstrating experience in developing housing strategies and/or real estate development.

3. A minimum of five (5) years of professional experience in planning, housing development or similar.

4. Resumes are required for all project personnel.

5. Bidder's Qualifications and References Form, 2 pages

6. Non-Collusion Form, 1 page

7. Debarment Letter, 1 page

8. IRS W-9 Form, 1 page

Comparative Evaluation Criteria - provide documentation demonstrating your compliance with each criterion or reference what page number within your technical proposal this documentation can be found. These criteria are listed in order of priority.

The evaluation of each proposal for Transportation Strategy Consulting Services will be based upon the "Comparative Evaluation Criteria" described in this section. The following scale will be used to rate each evaluation criterion, as well as to determine a composite rating of each proposal:

"Highly Advantageous"
"Advantageous"
"Not Advantageous"
"Unacceptable"

An "Unacceptable" rating in any one of the criteria will eliminate a proposal from further consideration.

EVALUATION CRITERIA

Proposals from contractors who meet or exceed the minimum criteria will be evaluated and rated on the basis of the following comparative criteria. The city reserves the right to ask any respondent to provide additional supporting documentation in order to verify its response.

Ratings of Highly Advantageous (HA); Advantageous (A); Not Advantageous (NA); or Unacceptable (U) will be given to each of the following criteria for each respondent. A composite rating will then be determined. A composite rating of Highly Advantageous or Advantageous may be assigned only if a proposal has received at least one such rating among the criteria listed below.

To the extent that an Evaluation Criterion requires the certification of fact, the proposer's certification as to that fact shall be an adequate response provided, however, that on request the proposer shall provide to the City such evidence as the City may request to support that fact.

1. **Quality of Work Proposal**

The proposal should include a sample scope of work addressing the tasks described above. The sample should clearly articulate the approach that the consultant proposes to use to meet the requirements of the program and should define the steps in the process, the roles of different members of the consultant team and an approximate timeframe for each part.

Highly advantageous: The project proposal demonstrates strong understanding of intent of the project and the needs of the City and presents an efficient and thorough process.

Advantageous: The project proposal demonstrates good understanding of the intent of the project and the needs of the City and presents an efficient process.

Not Advantageous: The project proposal demonstrates some understanding of the intent of the project and the needs of the City and presents a generally efficient process.

Unacceptable: The project proposal does not demonstrate understanding of the intent of the project and the needs of the City.

2. **Quality and Depth of Project Experience**

Include with your proposal samples of at least two (2) similar projects the consultant has successfully completed, preferably for municipalities similar to Newton in size..

Highly advantageous: The samples demonstrate superior experience in providing services related to the City's requirements. The project proposal demonstrates a wide depth of experience with similar projects (5 or more), and prior experience with municipally or privately funded not-to-exceed or fixed-fee contracts. Project work samples are of outstanding quality in content and technical presentation.

Advantageous: The samples demonstrate solid experience in providing services related to the City's requirements. The project proposal demonstrates a good depth of experience with similar projects (3 to 5), and prior experience with municipally or privately funded not-to-exceed or fixed-fee contracts. Project work samples are of good quality in content and technical presentation.

Not Advantageous: The proposer has limited experience in providing services related to the City's requirements or with similar projects (less than 3), and prior experience with public or private, not-to-exceed or fixed fee contracts. Project work samples minimally meet current standards for content and technical presentation.

Unacceptable: Has not completed any projects similar in scope.

3. **Qualifications of the Proposer Based on Submitted Resume(s)**

Highly advantageous: The proposer's resume(s) demonstrate that the proposer has superior training, educational background and work experience appropriate to the project described herein and all key project personnel demonstrate professional experience well beyond the minimum requirements.

Advantageous: The resume(s) demonstrate that the proposer has adequate training, educational background and work experience appropriate to the project described herein and all key project personnel demonstrate professional experience that meets or somewhat exceeds the minimum requirements.

Not Advantageous: The resume(s) do not demonstrate that proposer has adequate training, educational background and work experience appropriate to the project described herein.

Unacceptable: The proposer did not provide any resumes or background information for project personnel.

4. **Completeness and Quality of Proposal Package**

Highly advantageous: Response is complete, concise, informative, and highly detailed. Proposal reflects that proposer is able to perform in a superior manner acceptable to the City. Evaluation team is completely convinced about the proposer's ability to provide the level of services as required by the City. Proposal demonstrates excellent communication and documentation skills.

Advantageous: Response is complete, informative, and meets criteria for responsiveness. Evaluation team finds proposal reflects that proposer is able to perform in an adequate manner acceptable to the City. Proposal demonstrates a good level of communication and documentation skills.

Not Advantageous: Response lacks a comprehensive approach, but meets criteria for responsiveness. Evaluation team finds proposal reflects that proposer may be able to perform in a manner acceptable to the City. Communication and documentation skills appear only adequate.

Unacceptable: Proposal lacks project information regarding the proposers approach to the project.

5. Quality of the Presentation

All proposers meeting minimum criteria and rated as Highly Advantageous or Advantageous on 1-4 above will be invited to interview. Each proposer selected for an interview will be asked to make a maximum 20 minute presentation of the proposal.

Highly advantageous: Presentation is visually attractive, informative and demonstrates excellent communication skills. The presentation reflects that the proposer is able to perform in a superior manner acceptable to the City. Evaluation team is completely convinced about the proposer's ability to provide the level of services as required by the City.

Advantageous: Presentation is good, informative, and demonstrates acceptable communication skills. Evaluation team finds that the presentation reflects that proposer is able to perform in an adequate manner acceptable to the City.

Not Advantageous: Presentation lacks a comprehensive approach, but demonstrates adequate communications skills. Evaluation team finds that the presentation reflects that the proposer may be able to perform in a manner acceptable to the City.

Unacceptable: Presentation does not demonstrate adequate communication skills.

6. References (3)

One member of the Evaluation Committee will check three (3) references of all proposers who meet the Minimum Criteria and have been selected for an interview, asking the same questions of each reference. The person who checks the references will prepare a report for the remaining evaluators.

Highly advantageous: All references contacted spoke favorably of the work performed by the proposer and would use them again for a similar project without hesitation.

Advantageous: The great majority of references spoke favorably of the work performed by the proposer and would use them again for a similar project without hesitation.

Not Advantageous: One reference stated that there had been significant difficulties with the proposer's ability to deliver the contracted services and deliverables.

Unacceptable: Proposal lacks references.

The selection process will include an evaluation procedure based on the criteria identified above. Finalists will be required to appear for an interview.

Price Proposal

Proposers shall use "**ATTACHMENT A"** to this RFP #15-65 in submitting their price proposal(s). Please remember to submit your price proposal in a **separately sealed marked envelope**. Any Technical Proposal with prices may be deemed unresponsive.

Contract Term:

Work under this RFP is expected to begin **the day of contract execution and shall extend thru December 31, 2015.**

END OF SECTION

ATTACHMENT A – PRICE PROPOSAL

City of Newton
Planning Department

RFP #15-65 for Newton Housing Strategy

This form must be completed and placed, within your price proposal and ensure your envelope is marked:

"RFP #15-65 Price Proposal – Newton Housing Strategy"

Name of Firm or individual submitting bid: _____
(Please Print)

Contact Person _____

Address: _____

Telephone / FAX#: _____ / _____

E-mail address: _____

The proposer acknowledges the following addenda: ___, _____,_____,_____

HOUSING NEEDS AND MARKET ANALYSIS	$ _____
RECOMMENDATIONS REPORT	$ _____
TOTAL COST	$ _____

CITY OF NEWTON

BIDDER'S QUALIFICATIONS AND REFERENCES FORM

All questions must be answered, and the data given must be clear and comprehensive. Please type or print legibly. If necessary, add additional sheet for starred items. This information will be utilized by the City for purposes of determining bidder responsiveness and responsibility with regard to the requirements and specifications of the Contract.

1. FIRM NAME: _____

2. WHEN ORGANIZED: _____

3 INCORPORATED? _____ YES _____ NO DATE AND STATE OF INCORPORATION: _____

4. IS YOUR BUSINESS A **MBE**? _____YES _____NO **WBE**? _____YES _____NO or **MWBE**? _____YES _____NO

* 5. LIST ALL CONTRACTS CURRENTLY ON HAND, SHOWING CONTRACT AMOUNT AND ANTICIPATED DATE OFCOMPLETION:

_____
_____
_____
_____
_____

* 6. HAVE YOU EVER FAILED TO COMPLETE A CONTRACT AWARDED TO YOU?
_____ YES _____ NO
IF YES, WHERE AND WHY?

_____
_____

* 7. HAVE YOU EVER DEFAULTED ON A CONTRACT? _____ YES _____ NO
IF YES, PROVIDE DETAILS.

_____
_____

* 8. LIST YOUR VEHICLES/EQUIPMENT AVAILABLE FOR THIS CONTRACT:

_____
_____
_____
_____
_____
_____
_____

* 9. IN THE SPACES FOLLOWING, PROVIDE INFORMATION REGARDING CONTRACTS COMPLETED BY YOUR FIRM SIMILAR IN NATURE TO THE PROJECT BEING BID. A MINIMUM OF FOUR (4) CONTRACTS SHALL BE LISTED. PUBLICLY BID CONTRACTS ARE PREFERRED, BUT NOT MANDATORY.

PROJECT NAME: _____
OWNER: _____
CITY/STATE: _____

DOLLAR AMOUNT: $ _____ DATE COMPLETED: _____
PUBLICLY BID? _____YES _____ NO
TYPE OF WORK?: _____
CONTACT PERSON: _____ TELEPHONE #: ____)_____
CONTACT PERSON'S RELATION TO PROJECT?: _____
(i.e., contract manager, purchasing agent, etc.)

_____

PROJECT NAME: _____
OWNER: _____
CITY/STATE: _____
DOLLAR AMOUNT: $ _____ DATE COMPLETED: _____
PUBLICLY BID? _____YES _____ NO
TYPE OF WORK?: _____
CONTACT PERSON: _____ TELEPHONE #: (____)_____
CONTACT PERSON'S RELATION TO PROJECT?: _____
(i.e., contract manager, purchasing agent, etc.)

_____

PROJECT NAME: _____
OWNER: _____
CITY/STATE: _____
DOLLAR AMOUNT: $ _____ DATE COMPLETED: _____
PUBLICLY BID? _____YES _____ NO
TYPE OF WORK?: _____
CONTACT PERSON:_____ TELEPHONE #: (____)_____
CONTACT PERSON'S RELATION TO PROJECT?:_____
(i.e., contract manager, purchasing agent, etc.)

_____

PROJECT NAME: _____
OWNER: _____
CITY/STATE: _____
DOLLAR AMOUNT: $ _____ DATE COMPLETED: _____
PUBLICLY BID? _____YES _____ NO
TYPE OF WORK?: _____
CONTACT PERSON: _____ TELEPHONE #:(____)_____
CONTACT PERSON'S RELATION TO PROJECT?: _____
(i.e., contract manager, purchasing agent, etc.)

10. The undersigned certifies that the information contained herein is complete and accurate and hereby authorizes and requests any person, firm, or corporation to furnish any information requested by the City in verification of the recitals comprising this statement of Bidder's qualifications and experience.

DATE: _____ BIDDER: _____

SIGNATURE: _____

PRINTED NAME: _____ TITLE: _____

END OF SECTION

CERTIFICATE OF NON-COLLUSION

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

_____

(Signature of individual)

_____

Name of Business

City of Newton

PURCHASING DEPARTMENT
NICHOLAS READ ⊛ *CHIEF PROCUREMENT OFFICER*
1000 Commonwealth Avenue
Newton Centre, MA 02459-1449
purchasing@newtonma.gov

Telephone
(617) 796-1220
Fax:
(617) 796-1227
TDD/TTY
(617) 796-1089

Mayor
Setti D. Warren

Date

Vendor

Re: Debarment Letter for Invitation For Bid #15-65

As a potential vendor on the above contract, the City requires that you provide a debarment/suspension certification indicating that you are in compliance with the below Federal Executive Order. Certification can be done by completing and signing this form.

III. Debarment:

Federal Executive Order (E.O.) 12549 "Debarment and Suspension" requires that all contractors receiving individual awards, using federal funds, and all sub-recipients certify that the organization and its principals are not debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency from doing business with the Federal Government.

I hereby certify under pains and penalties of perjury that neither I nor any principal(s) of the Company identified below is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

_____ (Name)
_____ (Company)
_____ (Address)
_____ (Address)
PHONE _____ FAX _____
EMAIL _____

_____Signature

_____Date

.

If you have questions, please contact Nicholas Read, Chief Procurement Officer at (617) 796-1220.

Form **W-9**
(Rev. October 2007)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give form to the requester. Do not send to the IRS.

Print or type
See Specific Instructions on page 2.

Name (as shown on your income tax return)

Business name, if different from above

Check appropriate box: ☐ Individual/Sole proprietor ☐ Corporation ☐ Partnership
☐ Limited liability company. Enter the tax classification (D=disregarded entity, C=corporation, P=partnership) ▶
☐ Other (see instructions) ▶

X Exempt payee

Address (number, street, and apt. or suite no.)

Requester's name and address (optional)

City, state, and ZIP code

List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number

or

Employer identification number

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here **Signature of U.S. person ▶** **Date ▶** Name

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),

2. Certify that you are not subject to backup withholding, or

3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,

Cat. No. 10231X Form **W-9** (Rev. 10-2007)

CONTRACT FORMS

The awarded bidder will be required to complete and submit documents substantially similar in form to the following.

These forms may need to be modified on account of changed circumstances, and are provided for informational purposes only.

City - Contractor Agreement #C -

For

Newton Housing Strategy

This Agreement is entered into by and between

(hereinafter the "Contractor") and the City of Newton, a municipal corporation acting by and through its Planning Department but without personal liability to him (hereinafter the "City"); collectively, the "parties."

WHEREAS, the City needs the services of a Housing Planning Professional; and

WHEREAS, the Contractor has submitted a responsive proposal for such services;

NOW THEREFORE, the parties agree as follows:

1. Incorporation of Attached Documents

The following documents, copies of which are attached hereto, are hereby incorporated as part of this Agreement:

-- City of Newton's Request for Proposal No. #15-65, dated _____ issued by, *Chief Procurement Officer* (hereinafter "Request for Proposals");

--Technical and Price Proposal of _____, each dated _____, 2015 and signed by _____, (hereinafter, "Contractor's Proposal");

2. Scope of Work

Develop a housing strategy.

3. Term of Agreement

Work under this RFP is expected to begin **the day of contract execution and shall extend thru December 31, 2015**.

4. Payment procedures

The Contractor shall be paid on completion of identified project milestones to the satisfaction of the Director of the Planning and Development Department, after the submission of an invoice.

5. Indemnification

The Contractor acknowledges and agrees that he is responsible as an INDEPENDENT CONTRACTOR for all services provided under this Agreement and for all the acts of her employees and agents hereunder and agrees that she will indemnify and hold harmless the City and its agents and employees from and against all claims, damages, losses and expenses, including attorney's fees arising out of, or resulting from, the performance of the services to be performed under this Agreement.

6. Insurance

The Contractor will provide the City with a certificate of insurance reflecting Comprehensive General Liability Insurance with a limit of liability of at least One Million Dollars ($1,000,000.00) and evidence of workers compensation insurance covering employees of the Contractor. The Comprehensive General Liability policy must name the City as an additional insured and the certificate must reflect this status.

7. Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts.

8. Non-assignability

This Agreement and the duties of the Contractor to be performed hereunder or any payments due or accrued to the Contractor shall not be assigned or subcontracted.

9. Entire Agreement

This Agreement represents the entire understanding between the Contractor and the City. No change of any of the within terms and conditions can be made, except by written amendment(s) hereto and signed by both parties. This Agreement and any such amendments shall become binding on the City upon the execution thereof by the Mayor of Newton.

THIS SPACE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the parties have set their hands and seals to this and two like originals.

CONTRACTOR

By_____

Print Name _____

Title_____

Date_____

Affix Corporate Seal here

City funds in the amount of $_____
are available in account number:
0111401-5301

I further certify that the Mayor, or his designee, is authorized to execute contracts and approve change orders

By_____
Comptroller of Accounts

Date _____

CITY OF NEWTON

By _____
Chief Procurement Officer

Date_____

By_____
Director of Planning and Development

Date_____

Approved as to Legal Form and Character

By_____
Associate City Solicitor

Date _____

CONTRACT AND BONDS APPROVED

By_____
Mayor or his designee

Date_____

ATTACHMENT – B

CERTIFICATE OF AUTHORITY - CORPORATE

1. I hereby certify that I am the Clerk/Secretary of _____
(insert full name of Corporation)

2. corporation, and that _____
(insert the name of officer who signed the **contract and bonds**.)

3. is the duly elected _____
(insert the title of the officer in line 2)

4. of said corporation, and that on _____
(insert a date that is ***ON ORBEFORE*** the date the officer signed the **contract and bonds**.)

at a duly authorized meeting of the Board of Directors of said corporation, at which all the directors were present or waived notice, it was voted that

5. _____ the _____
(insert **name** from line 2) (insert **title** from line 3)

of this corporation be and hereby is authorized to execute contracts and bonds in the name and on behalf of said corporation, and affix its Corporate Seal thereto, and such execution of any contract of obligation in this corporation's name and on its behalf, with or without the Corporate Seal, shall be valid and binding upon this corporation; and that the above vote has not been amended or rescinded and remains in full force and effect as of the date set forth below.

6. ATTEST: _____ *AFFIX CORPORATE SEAL HERE*
(Signature of **Clerk or Secretary**)*

7. Name: _____
(Please print or type name in line 6)*

8. Date: _____
(insert a date that is ***ON ORAFTER*** the date the officer signed the **contract and bonds**.)

* The name and signature inserted in lines 6 & 7 **must** be that of the **Clerk or Secretary** of the corporation.

ATTACHMENT - C

CERTIFICATION OF TAX COMPLIANCE

Pursuant to M.G.L. c.62C, §49A and requirements of the City, the undersigned acting on behalf of the Contractor certifies under the penalties of perjury that the Contractor is in compliance with all laws of the Commonwealth relating to taxes including payment of all local taxes, fees, assessments, betterments and any other local or municipal charges (unless the Contractor has a pending abatement application or has entered into a payment agreement with the entity to which such charges were owed), reporting of employees and contractors, and withholding and remitting child support.*

_____
**Signature of Individual
or Corporate Contractor (Mandatory)

_____
*** Contractor's Social Security Number
(Voluntary) or Federal Identification Number

Print Name:_____

By: _____
Corporate Officer
(Mandatory, if applicable)

Date: _____

Print Name:_____

* The provision in this Certification relating to child support applies only when the Contractor is an individual.

** Approval of a contract or other agreement will not be granted until the City receives a signed copy of this Certification.

*** Your social security number may 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.

ATTACHMENT - D

CERTIFICATE OF FOREIGN CORPORATION

The undersigned hereby certifies that it has been duly established, organized, or chartered as a corporation under the laws of:

_____

(Jurisdiction)

The undersigned further certifies that it has complied with the requirements of M.G.L. c. 30, §39L (if applicable) and with the requirements of M.G.L. c. 156D, §15.03 relative to the registration and operation of foreign corporations within the Commonwealth of Massachusetts.

_____

Name of person signing proposal

_____

Signature of person signing proposal

_____

Name of Business (Please Print or Type)