

**INVITATION FOR BID
CITY OF NEW BEDFORD
NEW BEDFORD PUBLIC SCHOOLS**

REQUEST FOR PROPOSAL # 20300040

**SITE ACQUISITION FOR A NEW CENTRAL KITCHEN
FACILITY**

New Bedford, Massachusetts



November 27, 2019

Jonathan F. Mitchell
Mayor

New Bedford Public Schools
455 County Street
New Bedford, MA 02740



CITY OF NEW BEDFORD
MASSACHUSETTS



REQUEST FOR PROSALS #20300040
SITE ACQUISITION FOR CENTRAL KITCHEN FACILITY

The New Bedford Public Schools Food Service Department hereinafter referred to as (NBSFSD) through its Procurement Office is seeking a new Central Kitchen Facility. The NBSFSD has outgrown its existing Central Kitchen space located at the Paul Rodrigues Administration Building and wishes to move to a new building while remaining central to all schools.

To accommodate a new workspace the preferred building will be at least 5,000 square feet in size, contain a loading dock, be centrally located and made up of one parcel, and include parking. It should be located near the center of New Bedford. The NBSFSD will entertain proposals for purchase with an estimated cost of on or about one million dollars (\$1,000,000) as long as the property is free of debts, obligations, liens, or other encumbrances (financial or otherwise) at the time of delivery but would accept a gift property. Ideally, the NBSFSD wishes to settle on a property and close on the transaction as soon as reasonably possible buy may be extended to January 31, 2020.

Contract Documents, including Bidding Requirements, General Conditions, Specifications, and other Contract Documents, may be obtained and/or examined on or after **Wednesday, November 27, 2019 on or after 8:00 am** electronically only, by visiting the City of New Bedford web page www.newbedford-ma.gov/purchasing or emailing purchasing@newbedford-ma.gov.

Sealed proposals will be received by the Purchasing Department, in the office of the Purchasing Agent, Room 208, City Hall, 133 William Street, New Bedford, MA 02740, during business hours, until the date and time of the bid opening.

PROPOSAL OPENING

Proposals will be opened

Friday January 3, 2019 at 10:00 A.M. Prevailing Time

The developer selection will be awarded within sixty (60) days after the proposal opening. The time for award may be extended by mutual agreement between the City and the awarded Proposer.

One (1) original and nine (9) copies of the proposal shall be returned in a sealed envelope clearly marked "SITE ACQUISITION CENTRAL KITCHEN BID # 20300040" on the outside of the envelope. All proposals submitted become the property of the City of New Bedford and will be subject to applicable Public Record Laws. Only complete applications will be considered.

No Proposer may withdraw his/her bid for a period of one-year (365 days) days, excluding Saturdays, Sundays, and legal holidays, after the actual date of the opening thereof.

The Proposer must furnish a Non-Collusion Form and Statement of Taxes with their proposal.

Proposals **must** include **ALL DOCUMENTS** required by the Request for Proposal. The Awarding Authority reserves the right to waive any informality, reject any or all proposals, or accept other than the lowest priced proposal.

General Conditions and Requirements

1. Proposal Rules:

This proposal is solicited and will be awarded pursuant to the rules set forth in Chapter 30B of the Massachusetts General Laws.

2. Proposal Submission:

Proposals must be submitted by 10:00 am on January 3, 2019 in two (2) separate envelopes marked:

I. "Site Acquisition Central Kitchen – Proposal – BID # 20300040"

II. "Site Acquisition Central Kitchen – Cost/Pricing – BID # 20300040"

Sealed proposals must be submitted to:

City of New Bedford
Purchasing Department
133 William Street
New Bedford, MA 02740

3. Reviewing Period

All proposals meeting general requirements and conditions may be held by the City of New Bedford for a period not to exceed sixty (60) days from the date of the opening of proposals for the purpose of reviewing the proposals and investigating, qualifications of proposers, and negotiations prior to the awarding of the contract.

4. Basis of Proposal Award

The City shall award to the responsible and responsive proposer submitting the proposal considered most advantageous, taking into consideration the proposal's criteria and price. Upon a decision on the most advantageous proposal, the City will enter into negotiations for a purchase and sale agreement.

5. Cost to the City

The City will entertain proposals for purchase as long as the property is free of debts, obligations, liens or other encumbrances (financial or otherwise) but would accept a steeply discounted or gift property.

6. Evaluation of Proposal

The Committee shall evaluate each proposal's comparative evaluation criteria. The Purchasing Agent and the Committee shall assign a rating system to each criterion. The Purchasing Agent shall then take into consideration the prices and decide the best overall proposal. The best overall proposal is not necessarily the proposal receiving the highest rating for the "Comparative Evaluation Criteria" or the proposal with the most inexpensive terms. The Purchasing Agent will select the proposal based on the evaluation.

7. RFP Cancellation/RFP Selection

The City of New Bedford may cancel this RFP, or reject in whole or in part any and all proposals, if the City determines that cancellation or rejection is in the best interest of the City, and, it may select the proposal that it deems to be in the best interest of the City.

8. Terms

All terms of the proposals submitted in response to this RFP, including the price stated therein, must remain firm for one year (365 days) following the proposal opening.

9. Compliance with Applicable Laws

The contract shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts.

10. Questions and Interpretations

Questions about this RFP shall be submitted electronically via e-mail to purchasing@newbedford-ma.gov by or on **Wednesday December 11, 2019 at 4:00 mm** In the subject line of the e-mail put **"Question- "Site Acquisition Central Kitchen – BID # 20300040"**. All submissions must contain the name of the person asking the question, company name, address, phone number and email address. Failure to provide the correct information in the email will deem the question unanswerable, and it will not be considered as part of any addenda. Responses will be forwarded to all bidders within 24 business hours and posted on the City of New Bedford website.

11. Certification of Non-Collusion and Tax Attestation Form

All proposers must sign the attached forms (Attachments B) regarding Massachusetts State tax returns and a certificate of non-collusion.

12. Costs of Preparing Proposals

All costs involved in preparing the proposal submittal will be borne by the proposer. The City of New Bedford will not be liable for any costs associated with the creation of the proposal submittal or any supporting documents.

13. Corrections

Erasures or other changes in the proposal must be explained or noted over the signature of the proposer.

14. Conflict of Interest

The applicant agrees that to the extent that such law is applicable to the duties it is to perform hereunder, it will comply with the provisions of Chapter 286A of the General Laws concerning conflict of interest. The proposer covenants that it presently has no interest and shall not require any interest, direct or indirect, which would conflict in any manner or degree with the performance under the agreement. No employee of the City of New Bedford and no public official who exercises any function or responsibilities in the review or approval of the undertaking or carrying out of this agreement shall participate in any decision relating to this agreement which affects his personal interest or the interest of any corporation, partnership, or association in which he is directly or indirectly interested or have any financial interest, direct or indirect in this agreement or the proceeds thereof.

15. Signature

All proposals shall be complete, factual, and signed by the owner(s) or an authorized officer of the proposer's company on the appropriate page(s) and the front of the cover sheet.

16. Number of copies

One (1) original and nine (9) copies of the proposal must be submitted to the City of New Bedford Purchasing Agent.

17. Place and Time to Submit Proposals

Sealed proposals will be received at the City of New Bedford, City Hall, 133 William Street, Room 208, New Bedford, MA, 02740 before or on **10:00 AM on Friday January 3, 2019.** Late submittals will not be accepted. After the closing time, the Interested Party submittals will be opened for the sole purpose of recording the names of the Interested Parties submitting.

18. Waiver

The City of New Bedford reserves the right to reject any and all proposals, or to waive any informality in the proposal process, if deemed in the City's best interest.

19. Modifications

A proposer may correct, modify, or withdraw a proposal by sealed, written notice clearly marked as a correction, modification, or withdrawal and received in the Office of the City of New Bedford Purchasing Agent prior to the time and date set for the proposal deadline.

Failure to comply with the above conditions and requirements or any attached specifications or any other minimum qualifications will be justification to reject any proposal as incomplete.

END OF SECTION

Scope

1. General Location of Property

The preferred site for the new Central Kitchen Facility should be located near the center of the downtown area and include off street parking.

2. Cost to the City

The City will entertain proposals for purchase as long as the property is free of debts, obligations, liens or other encumbrances (financial or otherwise) but would accept a gift property or one steeply discounted.

3. Size and Geometry of the Property

The subject property should be a minimum of 5,000 square feet in size and include employee parking. Ideally, the property should be located near the City of New Bedford downtown area and will be one parcel of a suitable geometry that allows for efficient entrance for a loading dock and required parking.

4. Site Conditions

The subject property should be in full compliance with any and all applicable Federal, State, or local requirements. If present, any environmentally sensitive land should be clearly defined. Preferably, the subject property should have, or be able to reasonably obtain at no cost to the City, clean Phase I/II environmental reports. The preferred proposal will also have a geotechnical evaluation of the property.

5. Costs of Preparing Proposal

All costs involved in preparing the proposal submittal will be borne by the proposer. The City of New Bedford will not be liable for any costs associated with the creation of the proposal submittal or any supporting documents.

6. Schedule

Evaluations of the proposals will take place during the sixty (60) day evaluation period. The City expects to choose a site and enter into negotiations with the owner by TBD. To ensure adherence to a fairly aggressive schedule for design, the City wishes to close on a property within 1 year (365 days) of the submission opening date.

7. Minimum Submittal Requirements

Each proposal must contain the following documentation in support:

1. A map showing the subject property and its location near the downtown area
2. A survey prepared by a registered Massachusetts land surveyor showing the metes and bounds of said property.
3. A notarized statement of ownership.
4. A statement of existing infrastructure on the property including but not limited to sewer, water, type of utilities, telephone/data, vaults, and any easements.

In addition, if the following reports/studies exist, they should be included

5. A copy of any Phase I/II environmental and any geotechnical reports.

Evaluative criteria

All proposed sites will be evaluated based upon specific comparative evaluation criteria. The following point schedule will be utilized:

Highly advantageous: 5 points

Response excels on the specific criterion

Advantageous: 3 points

Response meets evaluation standard for the criterion

Least Advantageous: 1 point

Response does not fully meet the criterion or leaves a question or issue not fully addressed

Does Not Meet: 0 points*

Does not address the criterion

*Proposal is automatically eliminated from further consideration if "0 points" is received in any category.

Comparative criteria

The following comparative criteria will be used to evaluate proposed sites.

1. Location and size of the site

The preferred site for the new Central Kitchen should be located near the downtown area. The subject property should be a minimum of 5,000 square feet in size

- A site of 5,000 square feet or more located within the area specified in the RFP would be considered highly advantageous.
- A site of less than 5,000 square feet but greater than 4,800 square feet located within the area specified in the RFP would be considered advantageous.
- A site of less than 4,800 square feet but greater than 4,500 square feet located within the area specified in the RFP would be considered least advantageous.

2. Site Conditions and Geometry

The subject property should be in full compliance with any and all applicable Federal, State, or local requirements. If present, any environmentally sensitive land should be clearly defined. Ideally the property should be of a suitable geometry that allows for efficient development of the building and required parking. The most desirable property will be one which requires the least grading and/or demolition

- A site that is relatively flat, has no environmental restrictions, and requires little or no demolition would be considered highly advantageous.
- A site that is relatively flat, has some environmental restrictions, and requires demolition of simple structures would be considered advantageous.

- A site that requires substantial grading, has environmental restrictions, and requires heavy remediation and demolition would be considered least advantageous.

3. Ease of Access from Main Thoroughfare(s)

The preferred site will fit into the near designated downtown area without having a negative impact on traffic flow and surrounding properties.

- A site that has multiple access points for pedestrians and vehicles would be considered highly advantageous.
- A site that has at least one access point for pedestrians and vehicles would be considered advantageous.
- A site that has little or no access for pedestrians and vehicles would be considered least advantageous.

4. Site Features

The preferred site would offer natural views and be generally visible to the public. It might offer gathering places and small garden areas.

- A site positioned so that the Central Kitchen Facility would have a view, be easily visible from surrounding thoroughfares, and not be overwhelmed by surrounding buildings would be considered highly advantageous.
- A site positioned so that the Central Kitchen Facility would have a view, be somewhat visible from surrounding thoroughfares, and not be overwhelmed by surrounding buildings would be considered advantageous.
- A site positioned so that the Central Kitchen Facility would have a partial view, but not be visible from surrounding thoroughfares would be considered least advantageous.

5. Available Infrastructure

- A site that has water and sewer service and drainage infrastructure that are in reasonable and sound operating condition as well as natural gas service would be considered highly advantageous.
- A site that has water and sewer service and drainage infrastructure that requires modernizing and natural gas service and would be considered advantageous.
- A site that has water and sewer service and drainage infrastructure that require modernizing and no natural gas service and would be considered least advantageous.

Cost proposal

One (1) original and one (1) of the price proposal must be submitted in a separate sealed envelope marked "Site Acquisition Central Kitchen-Price Proposal" utilizing the form (Attachment A) included in this document.

Attachment A
RFP: Central Kitchen Site Acquisition
RFP No.: 20300040

COST PROPOSAL

(Print Name of Proposer)

(Address of Proposed Site)

Size of Property: _____ Acres _____ SF

Asking price \$ _____
Write in Numbers

_____ **Dollars**
Write in Words

Most Recent Appraised Value (if available): \$ _____

Assessed Value by the City of New Bedford: \$ _____

**CITY OF NEW BEDFORD
MASSACHUSETTS**

NON-COLLUSION AND TAX COMPLIANCE FORM

CERTIFICATE OF NON-COLLUSION

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

Signature of individual submitting bid

Name of business/organization

TAX COMPLIANCE CERTIFICATION

Pursuant to M.G.L. c. 62C, §49A, I certify under the penalties of perjury that, to the best of my knowledge and belief, I am in compliance with all laws of the Commonwealth relating to taxes reporting of employees and contractor, and withholding and remitting child support.

Signature of person submitting bid

Name of business



**CITY OF NEW BEDFORD
MASSACHUSETTS**



**VOTE OF CORPORATION AUTHORIZING
EXECUTION OF CORPORATE AGREEMENTS**

At a meeting of the Board of Directors of _____ duly called and held on _____, 20____ at which a quorum was present and acting throughout, the following vote was duly adopted.

VOTED: That _____, the _____ of the corporation, be and hereby is authorized to affix the Corporate Seal, sign and deliver in the name and behalf of the corporation contract documents with the City of New Bedford, the above mentioned documents to include but not be limited to Bids, Proposals, Deeds, Purchase and Sales Agreements, Agreements, Contracts, Leases, Licenses, Releases and Indemnifications; and also to seal and execute, as above, surety company bonds to secure bids and proposals and the performance of said contract and payment for labor and materials, all in such form and on such terms and conditions as he/she, by the execution thereof, shall deem proper. A true copy

ATTEST:

Name (printed)

Signature (Affix Corporate Seal)

Title

Date

Real Property Disclosure Statement

DISCLOSURE OF BENEFICIAL INTEREST IN REAL PROPERTY TRANSACTION

This form contains a disclosure of the names and addresses of all persons with a direct or indirect beneficial interest in the real estate transaction described below. This form must be filed with the Massachusetts Division of Capital Planning and Operations, as required by M.G.L. c. 7, §40J, prior to the conveyance of or execution of a lease for the real property described below. Attach additional sheets if necessary.

1. Public agency involved in this transaction: City of New Bedford
[Name of Jurisdiction]
2. Complete legal description of the property:
3. Type of transaction: _____ Sale _____ Lease or rental for ____ [term]:
4. Seller(s) or Lessor(s): _____

Purchaser(s) or Lessee(s): City of New Bedford

5. Names and addresses of all persons who have or will have a direct or indirect beneficial interest in the real property described above.

Note: If a corporation has, or will have a direct or indirect beneficial interest in the real property, the names of all stockholders must also be listed except that, if the stock of the corporation is listed for sale to the general public, the name of any person holding less than 10 percent of the outstanding voting shares need not be disclosed.

Name	Address
_____	_____
_____	_____
_____	_____

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

Name	Title or Position
_____	_____
_____	_____
_____	_____

6. This section must be signed by the individual(s) or organization(s) entering into this real property transaction with the public agency named in Item 1. If the form is signed on behalf of a corporation, it must be signed by a duly authorized officer of that corporation.

The undersigned acknowledges that any changes or additions to Item 4 of this form during the term of any lease or rental will require filing a new disclosure with the Division of Capital Asset and Management and Maintenance within 30 days following the change or addition.

The undersigned swears under the pains and penalties of perjury that this form is complete and accurate in all respects.

Signature:

Printed Name:

Title:

Date:
