

Town of Needham
Department of Public Works
 Public Services Administration Building, 500 Dedham Avenue
 Needham, Massachusetts 02492
 Telephone (781) 455-7550

ACKNOWLEDGEMENT OF RECEIPT

Release Date	September 22, 2022
Qualifications Title	Needham/Newton Community Way Feasibility Study
ID Number	23DPW085M
Number of Documents	The Bid Package consists of 2 PDF documents. Returning this form confirms receipt of all the documents.
Pre-Proposal Meeting	September 29, 2022 @ 11:00am
Questions Due	October 4, 2022 @ 5:00pm
Qualifications Due	October 13, 2022 @ 12:00pm , Administration Office of the Department of Public Works located at the Public Services Administration Building, 500 Dedham Ave., Needham, MA, 02492
Please provide the requested information below as acknowledgment that you have received our bid package noted above. It is recommended that interested bidders complete this acknowledgment and return via email to dpwadmin@needhamma.gov or fax to the Department of Public Works at (781) 449-9023. Only by doing this, will the Town be able to provide notification of any addenda or answered questions relating to this bid. Only those companies or individuals shown on the Distribution Register will receive addenda to this bid. By completing and returning this acknowledgement will ensure you are recorded on the Distribution Register. Proposals from companies or individuals not acknowledging the addenda may be <u>rejected</u> as not responsive .	
Name of Company or Individual	
Name / Title of Contact	
Address	
City/Town, State, Zip Code	
Telephone Number	
Fax Number	
Email Address	
Signature	
Date	
Addenda will be posted to the Town's website. Please check the website for addenda before submitting your bid to the Town. Bidders who access the bid package from the Town's website are responsible for checking the website periodically for any addenda that may be issued by the Town.	

**Needham/Newton Community Way Feasibility
23DPW085M**



Release Date	September 22, 2022
Pre-Proposal Conference	September 29, 2022 @ 11:00am
Deadline for Questions	October 4, 2022 @ 5:00pm
Qualifications Due	October 13, 2022 @ 12:00pm Director of Finance and Administration PSAB 500 Dedham Ave. Needham, MA 02492

(Advertised in the Hometown Weekly issue of Thursday, September 22, 2022)
(Advertised on the MNPA's website, Thursday, September 22, 2022)
(Published in Central Register issue of Wednesday, September 21, 2022)
(Advertised in CommBuys on September, 22, 2022)



LEGAL NOTICE
TOWN OF NEEDHAM, MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS
Request for Qualifications
RFQ 23DPW085M
Needham/Newton Community Way Feasibility Study

The Town of Needham invites statements of qualifications for **Needham/Newton Community Way Feasibility Study**. Information and details of bidding requirements will be available beginning Thursday, September 22, 2022, at the DPW Administration Office, Public Services Administration Building, 500 Dedham Ave, Needham, Massachusetts 02492, by calling (781) 455-7550, Ext. 366, or online at <http://needhamma.gov>.

A pre-bid conference will be held on September 29, 2022 @ 11:00am in the Charles River Room, PSAB, 500 Dedham Avenue, Needham, Massachusetts.

Sealed proposals will be received at the DPW Administration Office, Public Services Administration Building, 500 Dedham Ave, Needham, Massachusetts 02492 until **12:00pm October 13, 2022**. Finalists' interviews are tentatively scheduled for **the week of October 31, 2022**.

The right is reserved by the Town of Needham to reject or accept any or all statements of qualifications if it is in the public interest to do so.

Kate Fitzpatrick
Needham Town Manager
September 22, 2022

23DPW085M
Needham/Newton Community Way Feasibility Study
Procurement in Brief

Primary Procurement Contact		Cecilia Simchak, Director of Finance/Administration for Public Services 781-455-7550 x366
Project Manager		
Event	Date	Details
Project Name		Needham/Newton Community Way Feasibility Study
Contract ID Number		23DPW085M
Request for Qualifications (RFQ) Available	September 22, 2022	Information and details of bidding requirements may be obtained at the Administration Office DPW, PSAB, 500 Dedham Ave., Needham, MA 02492, or online at the Town's web site http://www.needhamma.gov/bids.aspx
Pre-Proposal Site Visit & Meeting	September 29, 2022 @ 11:00am	PSAB Buidling: 500 Dedham Ave, Needham MA
Bid Deposit		NA
Deadline for Written Questions	October 4, 2022 @ 5:00pm	By Mail: DPW - 500 Dedham Ave., Needham, MA 02492 By Email: dpwadmin@needhamam.gov By Fax: 781-449-9023 Questions are to be clearly labeled as: QUESTIONS - RFQ -
Addenda		If any changes are made to this bid, an addendum will be issued. Addenda will be posted on the Town's webpage and emailed to all bidders on record as having received the bid package.
When and where bids are due	October 13, 2022 @ 12:00pm	Administration Office DPW, PSAB, 500 Dedham Ave., Needham, MA 02492. LATE BIDS WILL NOT BE CONSIDERED
Proposal Opening		Qualifications will not be publicly opened. A register of proposals received will be made available upon request after October 14, 2022.
Notify all bidders of finalists selected for interviews	October 21, 2022	Time of interview scheduled at time of notification
Interviews (if required)	Week of October 231, 2022	Interviews will be tentatively scheduled with the selection subcommittee in Needham, MA.
Contract Award	Mid-November	Approval of Town Manager and Town Counsel is REQUIRED
Contract Length		Contract will begin upon execution and is anticipated to be complete August 31, 2023.

Section 1 – General Conditions and Submission Requirement

1.01 Introduction

The Town of Needham, through the Town Manager and its Department of Public Works – Building Maintenance Division, (“Owner”), invites consulting firms to provide qualifications for Needham/Newton Community Way Feasibility Study.

The term of this Agreement shall be upon execution until August 31, 2023.

One (1) original, five (5) copies of the proposals and one (1) electronic copy must be submitted to the attention of Cecilia Simchak, Director of Finance/Admin for Public Services, Administration Office, Public Services Administration Building, 500 Dedham Ave, Needham, Massachusetts 02492 by 12:00pm, October 13, 2022. All proposals must include the attached certificate of non-collusion. All consultants shall furnish proof of a minimum of ten (10) continuous years in business.

Selected consultant interviews will be conducted by a Selection Committee and are tentatively scheduled to take place the week of October 31, 2022. The successful consultant must enter into the Form Agreement prepared by Town Counsel (Sample Available Online). The selected consultant will be invited to meet with the Town to negotiate for specific tasks and made part of the consulting contract as required.

The Town of Needham reserves the right to reject or accept any or all statements of qualifications that it considers to be in the best interest of the Town. The Town Manager is the Awarding Authority for the project. The Town Manager and the DPW are the jurisdictional body overseeing the site and the facility with operations management provided by the DPW.

1.02 Requests for Interpretation

Consulting Firms shall promptly raise the issue of any ambiguity, inconsistency, or error, which they may discover upon examination of the RFQ Documents or any other conditions, which apply to the work. Consulting Firms must note that statements made orally are not binding on the Town and only written responses by the Town will be considered. **Questions** must be sent in writing by email to dpwadmin@needhamma.gov by October 4, 2022. To identify questions coming in, please write in the subject area the following RFQ 23DPW085M, Needham/Newton Community Way Feasibility Study – Questions. Requests properly presented that in the opinion of the Town require interpretation, correction, or change in the RFQ documents shall result in an issuance of an Addenda to the RFQ Documents. Such Addenda shall subsequently become part of the RFQ Documents. All addenda are required to be acknowledged in the RFQ package submission.

1.03 CORI/SORI Requirements

In accordance with G.L. c. 71, § 38R, the Town may request and obtain all available criminal offender record information (CORI) from the Criminal History Systems Board of any employee of the Consultant “who may have direct and unmonitored contact with children” during the performance of their work on school property.

As a condition of the award of any contract pursuant to this RFQ, and prior to commencement of any work, the successful Consultant shall complete and sign a CORI Request Form to obtain CORI if, in the determination of the Town, some or all of the employees or contractors of the Consultant “may have direct and unmonitored contact with children” during the performance

of their work on school property.

Pursuant to G.L. c. 6, §§ 178C-178P, the Contractor authorizes the Town to use local and national sexual offender registry information (SORI) to determine if any of Contractor's employees pose an unreasonable risk to children within the Needham Public Schools.

The Town shall provide the CORI Request Forms as needed.

Further the Contractor's employees will be subject to a fingerprint-supported national criminal history background checks. The Contractor will ensure any required fee is paid, and that the Town will not be charged for the cost of this requirement.

1.04 Statement of Compliance

Statement of Compliance stating that persons employed by the award recipient are paid in accordance with the provisions of Sections 26 to 27H of Chapter 149 of the General Laws.

The selected consulting firm will not be permitted to either assign or underlet the contract, nor assign either legally or equitably any monies there under, or its claim thereto without the previous written consent of the Town.

1.05 General Safety, Licenses, & Performance

The consultant's personnel working on this project must hold all necessary licenses and permits to perform the work required under this Agreement as required by the Town of Needham under the Commonwealth of Massachusetts regulations. Fire details are required for all work performed that requires an open flame within an occupied building.

Most of the work under this agreement is anticipated to be between the hours of 7:00 a.m. to 5:00 pm, Monday through Friday. No work is to be performed without the expressed and written permission of the Town.

All work will be done in accordance with applicable industry standards, codes and regulations, and/or manufacturer's specifications. The selected consultant firm is responsible for providing adequate safety measures during work to ensure protection of life and property.

The selected consultant shall be informed that there is a thirty (30) day cancellation clause in this contract for improper service. Complaints not rectified within a reasonable length of time from day of notice as determined by the Town may cause the Town to notify the consultant by registered or certified mail that the contract will be cancelled thirty days from the date of the letter.

Any defective workmanship shown to be caused by improper or faulty installation shall cause the consultant to correct, repair and/or replace all material and labor at no cost to the Town. The consultant will warrant that all workmanship shall be first class and shall be performed by persons qualified and licensed in their respective trades.

Any additional work that is performed as a part of this agreement must be approved by the appropriate Town authority. The absence of approval from the appropriate Town authority will be considered a violation of the contract.

1.06 Invoices & Reporting

Invoices shall be submitted by the successful consultant on a per job basis for work performed under this agreement after the completion of the work detailed in the scope of work. Any work that is performed as a part of this agreement must be approved by the appropriate by the Director of Building Maintenance or his designee. The absence of approval from the appropriate Town authority will be considered a violation of the contract.

Invoices and reports must be sent to the Town of Needham, Department of Public Works, 500 Dedham Avenue, Needham, MA 02492.

1.07 Site Maintenance & Inspection

The selected consultant will be responsible for maintaining the work site in a safe and orderly fashion on a daily basis. The consultant is responsible for the proper securing of all items associated with the project, including but not limited to: debris, tools, material, scaffolding, ladders, etc. The consultant is responsible for the removal and disposal of all debris and materials generated from this project.

1.08 Supplemental Equal Employment Opportunity Anti-Discrimination and Affirmative Action Program

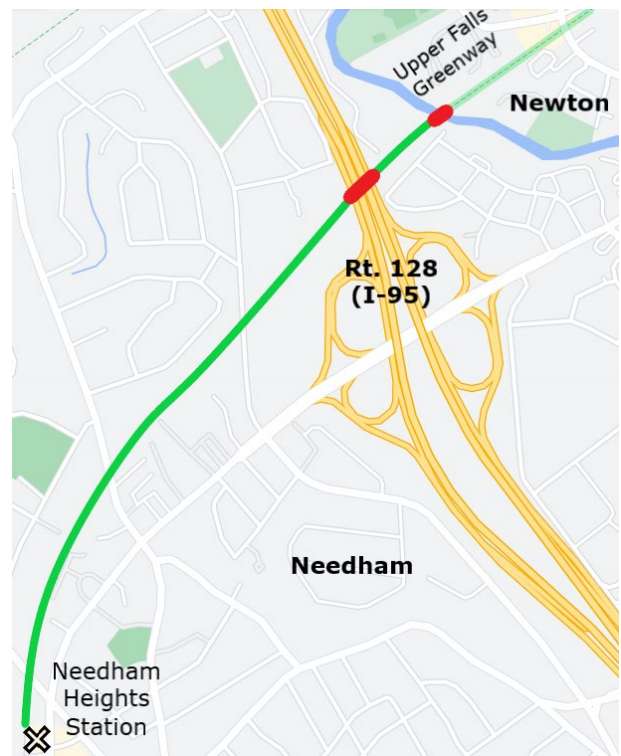
Contractors are required to comply with the objectives of the Contract Compliance Procedures of the Minority Business Enterprise Program for the Town of Needham and ensure that appropriate minority manpower utilization targets are achieved for all construction contracts for which direct contract award exceeds \$50,000.

- Intentionally left blank -

Section 2 – Description of Project

2.01 Background

The Town of Needham and City of Newton are interested in developing land along an unused portion of rail owned by the Massachusetts Bay Transportation Authority (MBTA) to connect the Needham Heights train station to the Newton Highlands area. This would be accomplished through the construction of dedicated multimodal transportation infrastructure that would extend over Route 128 and the Charles River, joining with the existing Upper Falls Greenway. In addition to the recreational opportunities of an extended greenway and the benefits provided by another link between the transit and commercial nodes across the municipalities' border, the project has the potential to offer a safe and attractive off-road option for active travel through an area that is rapidly developing and suffering from increasing levels of traffic congestion. While the key improvements of this multimodal way would include the construction of pedestrian and bicycle facilities, the municipalities would also like to explore the feasibility of a more expansive scope exploring options for electric shuttle buses, allowing for more efficient and sustainable motorized transportation.



There are three major challenges that must be addressed in this feasibility study. First, the Route 128 crossing is missing. The connecting rail bridge was removed as part of the Massachusetts Department of Transportation's Route 128 Add-a-Lane project in the 2010s. A new bridge span would be required. Second, the rail bridge that crosses the Charles River, while intact, is aging and needs to be evaluated to determine if it can be reused or if it must be replaced. Third, the entire length of the corridor needs to be assessed to ensure that there is sufficient width to accommodate the project, particularly if it were to include an electric busway.

This Request for Qualifications is for an engineering and consulting firm to perform a comprehensive study that will determine the feasibility, estimated costs, and projected timelines for a scenario that incorporates the components described above: construction and/or restoration of the bridges and rail right of way, construction of pedestrian and bike pathways, and the possibility of a busway addition.

Needham and Newton were awarded an earmark grant through the American Rescue Plan Act (ARPA) to explore these infrastructure options. The earmark language reads as follows:

"Provided further, that not less than \$200,000 shall be expended for a feasibility and preliminary design study for a multi-modal way from Newton into Needham via a new "Community Bridge" spanning state highway Route 128, the existing rail bridge spanning the Charles River, and connecting to the Newton Upper Falls Greenway and

Needham Heights, including an evaluation and cost benefit analysis of a way designed to accommodate only bicycles and pedestrians versus a way designed to accommodate bicycles, pedestrians and electric shuttle buses"

2.02 Scope of Services

All work for this project will be done under the supervision of the Town of Needham's Public Works Director or designee.

A. General

The general scope of work for this project includes:

- Evaluate and make recommendations for the design and construction of an ADA compliant community way/trail that would link the Needham Heights train station to the Upper Falls Greenway
 - o Evaluate the entire right-of-way to ensure that there is sufficient space for various layout options (See Task 1)
 - o Identify options for bridge replacement over Route 128 (See Task 2)
 - o Identify options for bridge reuse or replacement over the Charles River (See Task 3)
 - o Confirm that the community way could be sufficiently wide to support safe two-way traffic for pedestrians and bicycles
 - o Explore the addition of a way for an electric bus to serve as a shuttle between the two nodes
- Recommend any additional features to enhance the use of the space
- Assist in the planning and execution of community workshops in both municipalities in support of the project

B. Task 1: Evaluation of Right of Way

Review and make recommendations on the best use of the MBTA right of way areas to ensure that sufficient width and appropriate topography exists in order to construct a community multi-use trail. Determine what portions of the right-of-way could accommodate only pedestrians and bicycles. Determine what portions of the right-of-way could accommodate pedestrians, bikes, and electric shuttle buses. If insufficient or inappropriate land or topography is available, make recommendations on how to gain sufficient land through construction, grading, etc. Document encroachments and leases along the MBTA right of way, if any.

C. Task 2: Evaluation of Route 128 Bridge Right of Way

Review the right-of-way over Route 128 previously occupied by the rail bridge. Provide cost estimates for its reconstruction, including alternates for both pedestrian and bike infrastructure as well as pedestrian, bike, and electric shuttle bus infrastructure.

D. Task 3: Evaluation of Charles River Bridge

Review the existing rail bridge over the Charles River for structural integrity for the two possible uses. Provide cost estimates for its rehabilitation or reconstruction, including alternates for both pedestrian and bike infrastructure as well as pedestrian,

bike, and electric shuttle bus infrastructure.

E. Task 4: Coordinate with the MBTA and MassDOT

Work with the MBTA to explore the possibility of a lease agreement to allow Needham and Newton to develop this former rail bed as a community multi-use trail. Confirm with MassDOT that it is still willing to consider reconstruction of the bridge over Route 128.

F. Task 5: Provide Concept Drawings and Cost Estimates for Multiple Options

Provide documentation of up to six (6) options for construction, including the identification of any challenges specific to those options and estimated design and construction costs, as well as estimated timeline, scheduling concerns, and final conclusions/recommendations.

G. Task 6: Review Funding Opportunities Available

Provide the results of research to identify any funding opportunities at the County, State, or Federal level that may be accessible for execution of the project.

H. Task 7: Assist in Community Meetings in Support of the Project

Attend up to four (4) meetings with community groups or the community at large to discuss the goals for the project and assist in determining the feasibility of achieving those goals. In addition, attend up to four (4) board/committee and administration meetings as necessary to make presentations in relation to the project.

2.03 Project Timeline

All work must be completed by July 31, 2023. Some tasks may occur simultaneously.

Task 1: November 2022 – February 2023

Task 2: November 2022 – February 2023

Task 3: November 2022 – February 2023

Task 4: November 2022 – February 2023

Task 5: February 2023 – April 2023

Task 6: March 2023 - April 2023

Task 7: April 2023 – July 2023

Section 3 – Quality Requirements

3.01 Minimum Qualifications

- A. Engineers or consultants must have successfully completed projects of similar size and scope.
- B. Engineers and consultants must have a minimum of 3 years' experience successfully completing projects of similar efforts; no projects completed prior to 2010 will be considered to meet this requirement.
- C. Engineers and consultants must provide a minimum of three (3) references that include the names, addresses and phone numbers for whom the Consultant has previously performed work of similar nature. Since this project has a broad scope of work, references must be provided that address all components of the project. The Town may

contact these references. Please highlight any previous work involving more than one municipality.

- D. Engineers and consultants must be available to commence work on or about August 1, 2022
- E. Engineer and consultants must provide a list of proposed subcontractors that may be used as part of the engineering or consultant team, including responsibilities and resumes of lead personnel.
- F. One (1) original, six (6) physical copies, and one (1) electronic copy of the Technical Proposal must be submitted to the attention of Cecilia Simchak, Director of Finance/Admin for Public Services, DPW Administration Office, Public Services Administration Building, 500 Dedham Ave, Needham, MA 02492.

Section 4 – Submission Requirements

4.01 Technical Proposals

A. General Submission Requirements

Interested engineering and consulting firms should submit a Technical Proposal for the Project, specifically addressing Tasks 1 through 6, and all requirements identified in section B. Organization, below.

B. Organization

The Technical Proposal shall contain one (1) original and six (6) copies for a total of seven (7) copies in a sealed package. The Technical Proposal must clearly be marked: "Needham/Newton Community Way Feasibility Study – TECHNICAL PROPOSAL". The Technical Proposal must be signed by an individual authorized to bind the Bidder to the Contract.

1. Section 1: Overview of Proposal
2. Section 2: Personnel Qualifications
 - i. Summary chart identifying all individuals (including but not limited to the Principal-in-Charge, Project Manager, and other key individuals including sub-consultants)
 - ii. The specific tasks with which each individual will be involved
 - iii. The amount of their time to be committed to the Project
 - iv. Resumes or summaries of their qualifications, experience
3. Section 3: Relevant Experience
 - i. Project descriptions that meet the relevant experience qualification
 - ii. Associated owner, cost, and timeline
4. Section 4: Proposed Schedule for Executing Work
5. Section 5: Detailed Plan on Method of Accomplishing Tasks as Listed
6. Section 6: Non-Price Proposal Bid Forms
 - i. Bidder Information Response
 - ii. Certificate of Good Faith
 - iii. Certificate of Tax Compliance
 - iv. Certificate of Authority
 - v. Professional Reference Form
 - vi. Proposed Subcontractors
 - vii. Insurance Certificate

4.02 Price Proposals

The Price Proposal shall contain one (1) original sealed price proposal signed by an individual authorized to bind the Bidder to the contract. The sealed envelope must be clearly marked "Needham/Newton Community Way Feasibility Study – PRICE PROPOSAL". The price must remain fixed for ninety (90) calendar days. This form can NOT be included with the Technical Proposal and if it is included with the Technical Proposal the bid submission is automatically considered non-responsive.

4.03 Other Requirements and Notices

- A. Failure to complete any form, provide the requested information, or make any alterations to forms that are required to be submitted as presented may be deemed a conditional bid and the bid will be rejected.
- B. Bidder must acknowledge all addenda related to this bid, if any. Failure to acknowledge addenda does not in itself disqualify a bidder; however, the bidder shall be subject to any terms, conditions, and/or requirements that may be identified or result from the issuance of the addenda.
- C. Bids must be received and time stamped no later than the deadline stated in the Procurement In-Brief (Where and When Bids are Due). LATE PROPOSALS WILL NOT BE CONSIDERED.
- D. A Bid Bond is not required.
- E. Delivery will be at the expense of the Bidder. Any and all damages that may occur due to packaging or shipping will be the sole responsibility of the Bidder.
- F. The Bidder must be prepared to sign the Town's contract, the Town will NOT sign a contract provided by the bidder. The Town's Standard Contract is available online and included in this bid information package. Bidders are expected to review the specimen contract. Unless otherwise noted by the Town, the terms and conditions contained therein are NOT negotiable.

4.04 SDO Goal

Pursuant to M.G.L. c 7C, §6 and M.G.L. c. 7, §61, the Supplier Diversity Office ("SDO") (formerly SOMWBA) and the Division of Capital Asset Management ("DCAM") have set revised participation goals for Minority Business Enterprise ("MBE") and Women Business Enterprise ("WBE") participation for affected state funded building projects and state assisted municipal building projects as defined in the above referenced laws and related Executive Orders, including Executive Orders 524 and 526.

Effective January 1, 2012, and until such time as the goals may be revised, the MBE and WBE participation goals for building construction and design awards and expenditures on new projects advertised on or after the effective date will be a combined MBE/WBE goal as follows:

10.4% combined MBE/WBE participation on construction contract awards; and,
17.9% combined MBE/WBE participation on design contract awards.

Overall annual designations by awarding authorities, as well as MBE/WBE participation on individual projects with a combined MBE/WBE participation goal, must include a reasonable representation of both MBE and WBE firms that meets or exceeds the combined goal. Proposed MBE/WBE participation plans that include solely MBE or solely WBE participation or do not include a reasonable amount of participation by both MBE and WBE firms to meet the combined goal will not be considered responsive. Where the prime contractor or designer is an SDO certified MBE or WBE, the prime must bring a reasonable amount of participation by a firm or firms that hold the certification which is not held by the prime contractor or designer on the project. Proposed participation on construction projects or design projects which consists solely of either an MBE or WBE representing 100% of the overall combined goal will not be considered reasonable participation.

The SDO and the Awarding Authority will determine whether there is reasonable participation by both MBE and WBE firms on individual projects under their respective oversight. Firms submitting MBE/WBE participation plans which do not provide reasonable participation by both MBE/WBE firms shall be provided an opportunity to revise and resubmit their plans within the time frame set by the awarding authority; however no price adjustments shall be permitted as a result of the revised plan. Firms failing to submit an MBE/WBE participation plan deemed reasonable and accepted by the awarding authority shall not be awarded the contract.

Participation by MBE and WBE firms must be documented, tracked and reported on separately as MBE participation and WBE participation by prime vendors, subcontractors and awarding authorities.

Participation by MBE and WBE firms will continue to be tracked, reported and monitored separately to ensure that both MBE and WBE firms are participating on these projects. Not every project will have the full MBE/WBE goals set forth above due to their size, scope, or geographic location, as certain projects may have reduced goals, or in some cases no goals, as determined by the public awarding authority

4.05 Pre-Proposal Meeting

A pre-proposal meeting will be held as follows:

Attendance is encouraged but not required for submission of qualifications

Section 5 – Selection Process

The following process will be undertaken when selecting a preferred firm/team.

1. Review of proposals
2. First round interviews/presentations
3. Possible request for additional information and/or second round interview
4. Final selection

Section 6 – Evaluation Criteria

6.01 Proposal Evaluation Criteria

The Municipalities will consider the following criteria in evaluating Qualifications.

1. Technical approach to the project
2. Value and competitiveness of proposed fee for the scope of services offered
3. The firm's demonstrated recent experience and expertise with similar design and engineering projects performed within the past five years
4. Past performance of the firm, if any, with regard to public or private projects across the Commonwealth, with respect to:
 - a. Quality of project design
 - b. Quality, clarity, completeness, and accuracy of plans and reports
 - c. Ability to meet established program requirements within allotted budget
 - d. Ability to permit complex projects
 - e. Coordination and management of consultants
 - f. Working relationship with local awarding authority, staff, and local officials
5. Identification and quality of work of the firm, if any, with regard to prior similar design services provided to other municipalities, and state agencies
6. Current workload and ability to undertake the contract based on the number and scope of projects for which the firm is under contract or projected to be under contract for the duration of this project. Capacity of the firm to meet the time commitments required by the project
7. The financial stability of the firm
8. The identity and qualifications of the consulting firms who will work on the project
9. The qualifications of the key personnel and consultants to be assigned to the project
10. Geographical proximity of the firm to the project site or willingness of the firm to make site visits and attend local meetings as required by the client
11. References from recent clients for similar projects
12. Team's ability to meet the SDO goals for MBE & WBE participation
13. Any other criteria the selection committee considers relevant to the project

Overall	
Highly Advantageous	The proposal is complete and demonstrates a clear understanding of the services to be performed and how the services will be provided in accordance with the Town needs. The Bidder exceeds the Minimum Qualifications.
Advantageous	The proposal is complete and the Bidder meets all the Minimum Qualifications.
Not Advantageous	The proposal is incomplete/is not clear whether it satisfies the services, but the Bidder meets all of the Minimum Qualification.
Unacceptable	The Firm does not meet the Minimum Qualifications.

Experience of Identified Staff	
Highly Advantageous	The lead personnel have ten (10) or more years' experience with projects similar to those outlined in the RFQ.
Advantageous	The lead personnel have five (5) or more years' experience with projects similar to those outlined in the RFQ.
Not Advantageous	The bidder has three (3) or more years' experience with projects similar to those outlined in the RFQ.
Unacceptable	The bidder has less than three years' supervisory with projects similar to those outlined in the RFQ.

Experience of Supervisory Personnel	
Highly Advantageous	The lead personnel have ten (10) or more years' supervisory experience with projects similar to those outlined in the RFQ.
Advantageous	The lead personnel have five (5) or more years' supervisory experience with projects similar to those outlined in the RFQ.
Not Advantageous	The bidder has three (3) or more years' supervisory experience with projects similar to those outlined in the RFQ.
Unacceptable	The bidder has less than three years' supervisory experience with projects similar to those outlined in the RFQ.

Experience and Capabilities of the Firm	
Highly Advantageous	The bidder has ten (10) or more years' experience in providing services comparable to that listed in the overview of services.
Advantageous	The bidder has five (5) or more years' experience in providing services comparable to that listed in the overview of services.
Not Advantageous	The bidder has three (3) or more years' experience in providing services comparable to that listed in the overview of services.
Unacceptable	The bidder has less than three (3) or more years' experience in providing services comparable to that listed in the overview of services.

Management Approach & Capacity to Perform Work	
Highly Advantageous	The proposal is complete and demonstrates a clear understanding of the services to be performed and how the services will be provided in accordance with the Town needs. The Bidder exceeds the Minimum Qualifications.
Advantageous	The proposal is complete and the Bidder meets all the Minimum Qualifications.
Not Advantageous	The proposal is incomplete/is not clear whether it satisfies the services, but the Bidder meets all of the Minimum Qualification.
Unacceptable	The Firm does not meet the Minimum Qualifications.

Successful Completion of Similar Project	
Highly Advantageous	The bidder has ten (10) or more years' experience in providing services comparable to that listed in the overview of services and has evidence of successful completion.
Advantageous	The bidder has seven (7) or more years' experience in providing services comparable to that listed in the overview of services and has evidence of successful completion.
Not Advantageous	The bidder has five (5) or more years' experience in providing services comparable to that listed in the overview of services. and has evidence of successful completion.
Unacceptable	The bidder has less than five (5) years' experience in providing services comparable to that listed in the RFP in relation to the work required and has evidence of successful completion.

Successful Completion of Projects in the New England Area	
Highly Advantageous	The bidder has five (5) or more years' experience providing services comparable to that listed in the RFP with Massachusetts Municipal Clients.
Advantageous	The bidder has three (3) or more years' experience providing services comparable to that listed in the RFP with Massachusetts Municipal Clients.
Not Advantageous	The bidder has one (1) or more years' experience providing services comparable to that listed in the RFP with Massachusetts Municipal Clients.
Unacceptable	The bidder no experience providing services comparable to that listed in the RFP with Massachusetts Municipal Clients.

Successful Completion of Intermunicipal Projects	
Highly Advantageous	The bidder has five (5) or more years' experience providing services for intermunicipal projects.
Advantageous	The bidder has three (3) or more years' experience providing services for intermunicipal projects.
Not Advantageous	The bidder has no experience providing services for intermunicipal projects.
Unacceptable	The bidder has no experience working with municipalities.

6.02 Interviews

As part of the evaluation process, the Evaluation Committee will require a presentation by Bidders that meet the Minimum Quality Requirements. Interviews will consist of questions from the selection committee on the technical proposal, and bidders must be ready to speak to their qualifications and action plans for this project.

Presentations should be no longer than 15 minutes, with approximately 20 minutes additional reserved for questions from the Evaluation Committee.

A presentation to the Evaluation Committee is a requirement for award of a contract. Bidders that fail to make a presentation will be deemed non-responsive and therefore the proposal will be rejected.

Interview	
Highly Advantageous	Bidder offers an exceptionally creative, well organized and compelling presentation, and demonstrates an ability to effectively communicate ideas and plans. The Bidder responds to the Committee's questions with factual and clear answers, and follows up on Committee requests for additional information promptly (less than 24 hours).
Advantageous	Bidder offers a clear well organized presentation, and demonstrates an ability to effectively communicate ideas and plans. The Bidder responds to the Committee's questions with factual and clear answers, and follows up on Committee requests for additional information within the time frame agreed to at the presentation (usually not more than 2 business days).
Not Advantageous	Bidder offers an unclear and confusing presentation, and does not effectively communicate their ideas and plans. The Bidder responses to the Committee's questions were unclear and/or did not follow up on any request for additional information promptly. Failure to provide requested information within the agreed time will be a basis for rejection of the Bidder.
Unacceptable	Bidder declines or does not make a presentation

- Intentionally left blank -

6.03 Bidder References

References shall be checked and may influence the final selection.

Quality of References	
Highly Advantageous	Four clients contacted by the Town, among them at least three municipalities, commented substantively and positively on their experiences with the Bidder and their expertise and gave the firm a highly positive recommendation.
Advantageous	Three clients contacted by the Town, among them at least two municipalities/schools, commented substantively and positively on their experiences with the Bidder and their expertise and gave the firm a highly positive recommendation.
Not Advantageous	One client contacted by the Town commented substantively and positively on their experiences with the Bidder and gave the firm a highly positive recommendation.
Unacceptable	No client contacted by the Town commented substantively and positively on their experiences with the Bidder.

Section 7 - Other

Rule for Award

The Town reserves a period up to forty-five (45) calendar days following the opening of the qualifications in which to evaluate and award the contract.

The Town herein declares its express purpose not to award the contract to any Designer unable to furnish evidence, satisfactory to the Town, that it has sufficient ability, experience, and capital to execute and complete the work in accordance with the contract. The Designer must possess and identify the physical resources, equipment, and personnel necessary to carry out the work in accordance with the specified requirements. If requested, any Designer MAY be required to demonstrate financial stability satisfactory to the Town.

The Department of Public Works and Town Manager are the awarding authority for the contract (Attachment A, or a contract substantially in this form). Further the contract will not be binding until it has been approved as to form by Town Counsel. Award, payment, and performance obligations shall depend on the availability and appropriation of funds.

The Town reserves the right to reject any and all qualifications as determined to be in the best interests of the Town and to waive minor informalities.

The Award of this Feasibility Study will not preclude the selected designer from future Detailed Design work associated with this project.

Federal and State Taxes

The Town is exempt from federal and state sales taxes and/or use taxes. Taxes are not to be included in the Proposal price to be negotiated with the winning Designer.

Information about changes to the RFQ (Addenda)

In the event that changes/additions are made to this RFQ, an addendum will be issued. Addenda will be emailed to every potential responder on record as receiving the RFQ package. It is necessary for the prospective Designer to submit the "ACKNOWLEDGEMENT OF RECEIPT" so that Addenda can be forwarded to interested firms.

Examination of documents and questions

The Designer shall be satisfied as to the requirements of the contemplated services to enable intelligent preparation of this Proposal. The Designer shall be familiar with all of the RFQ documents before submitting the Proposal so 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. Inquiries concerning any part of this RFQ shall be directed to the individual(s) listed under the Procurement Schedule. Designers should note that oral communications are not binding on the Town. All requests/questions must be submitted in writing. Questions must be sent in writing and may be delivered by hand, fax, or email as referenced under the Procurement Schedule by the deadline. The Town will respond to written questions that are received by the deadline and will forward responses to all persons who are on record as receiving the Proposal package. Questions received after the due date will not be responded to unless the Town determines it is necessary. Designers, please allow enough time for hand delivery or facsimile transmissions.

Proposal modifications or withdrawals

Qualifications may be corrected, modified, or withdrawn prior to the submission deadline; requests to do so must be received in writing to the Town Manager. After the submission

deadline, qualifications may not be changed. Minor mistakes may be waived by the Town.

Premature opening of a Proposal

The Town will not be responsible for the premature opening of any qualifications not properly identified. The Town may reject qualifications which are incomplete, not properly endorsed or signed, or which otherwise are contrary to these instructions.

Unexpected closure of delays

If, at the time of the scheduled proposal submission deadline, the building is closed due to uncontrolled events such as fire, snow, ice, wind, building evacuation, or other the deadline will be postponed until 2:00 P.M. on the next normal business day. Qualifications will be accepted until that date and time.

Late submissions

The Town assumes no responsibility for late submissions due to mail, courier, or delivery problems. LATE QUALIFICATIONS WILL NOT BE CONSIDERED.

Rejection of bids

The Qualifications must satisfy all the requirements of the RFQ in order to be considered for award. Failure to complete the required forms, answer any questions, or provide the required documentation will be deemed NON-RESPONSIVE and result in rejection of the qualifications unless the Town determines that such failure constitutes a minor informality that can be corrected without prejudice to other Designers. A proposal may be rejected if the Designer:

- Fails to adhere to one or more of the provisions established in the RFQ;
- Fails to submit its proposal by the time or in the format specified herein or to supply the minimum information requested herein;
- Fails to submit its proposal to the required address on or before the specified submission deadline;
- Misrepresents its service or provides demonstrably false information in its proposal;
- Fails to provide material information;

OR

- Submits a proposal that is incomplete, not properly endorsed, or signed.

The Town reserves the right to reject any and all qualifications as determined to be in the best interests of the Town and to waive minor informalities.

General and special provisions

The consideration of all bids and subsequent selection of the successful applicant shall be made without regard to race, color, sex, age, handicap, religion, political affiliation or national origin.

The Designer shall adhere to the provisions of the Fair Employment Practices Law of the Commonwealth (Massachusetts General Laws, Chapter 151B)

The provisions relating to non-discrimination and affirmative action in employment shall flow through all contracts and subcontracts that the successful Designer may receive or award as a result of this contract.

Services provided by the Designer shall be rendered through a professional services contract; the Designer will not be considered an employee of the Town and will not receive any benefits of an employee.

The Designer shall comply with Massachusetts General Laws, Chapter 66A if the Designer becomes a "holder" of "personal data". The Designer shall also protect the physical security

and restrict any access to personal or other Town data in the Designer's possession, or used by the Designer in the performance of the Contract, which shall include, but is not limited to the Town's public records, documents, files, software, equipment, or systems.

Ownership of Documents: All qualifications, materials, drawings, plans, etc. shall become the property of the Town and may not be disposed of without notification and shall be considered public information.

The Designer selected shall be expected to comply with all applicable federal and state laws in the performance of services.

By execution of a contract with the Town of Needham, the Designer acknowledges that the Town of Needham is a municipality for the purposes of Massachusetts General Laws, Chapter 268A (the Massachusetts conflict of interest statute), and agrees, as circumstances require, to take actions and to forbear from taking actions so as to be in compliance at all times with the obligations of the contractor based on said statute.

Contract terms and conditions

The contract is anticipated to be executed by the date indicated under Procurement Schedule for this Proposal. The Town reserves the right to change, delay, cancel, or expedite the contract execution date. The selected Designer is required to furnish all bonds and certificate of insurances required under the contract, in a form acceptable to the Town prior to the execution date.

The Town's Standard Contract is incorporated herein as Attachment A. Bidders are expected to review the sample contract. Unless otherwise noted by the Town in this RFQ, the terms and conditions contained therein are NOT negotiable.

- Intentionally left blank -

Section 8 - Attachments

Attachment A: Certificate of Authority

Attachment B: Certificate of Non-Collusion

Attachment C: Certifications

Attachment D: Certificate of Compliance with Massachusetts Tax Laws

Attachment E: Sample Master Agreement Between Owner and Consultant

- Intentionally left blank -

Attachment A: Certificate of Authority

CERTIFICATE OF AUTHORITY

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 _____
(The date must be **ON OR BEFORE** 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
(Signature of **Clerk or Secretary**)* SEAL HERE

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

8. Date: _____
(Insert a date that is **ON OR AFTER** 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.

This form is required to be submitted with the RFQ Proposal if the Proposal is signed by a person other than the owner or president of the company.

Attachment B: Certificate of Non-Collusion

The undersigned further certifies under the penalties of perjury that this bid is in all respects bona fide, fair and made without collusion or fraud with any other person. As used in this subsection the word "person" shall mean any natural person, joint venture, partnership, corporation or other business or legal entity. The undersigned further certifies under penalty of perjury that the said undersigned is not presently debarred from doing public construction work in the commonwealth under the provisions of section 29F of chapter 29, or any other applicable debarment provisions of any other chapter of the General Laws or any rule or regulation promulgated thereunder. The undersigned hereby certifies that s/he will comply with all laws and regulations applicable to awards made subject to Massachusetts General Laws Chapter 7.

Bidder Name

Date

Signature of Individual Submitting the Bid

Individual Full Name / Title

Name of Business

Business Address

City/Town State

THIS FORM MUST BE COMPLETED AND FILED WITH THE PROPOSAL SUBMISSION

Attachment C: Certifications

In accordance with M.G.L. c. 7 § 38H (b), the undersigned states that the wage rates and other costs used to support the designer's compensation are accurate, complete, and current at the time of contracting; and agrees that the original contract price and any additions to the contract may be adjusted within one year of completion of the contract to exclude any significant amount if the fee was increased by such amounts due to inaccurate, incomplete or noncurrent wage rates or other costs.

In accordance with M.G.L. c. 7 § 38H(b), the undersigned certifies under penalties of perjury that the designer or construction manager has not given, offered, or agreed to give any person, corporation, or other entity any gift, contribution, or offer of employment as an inducement for, or in connection with, the award of the contract for design services.

The undersigned certifies under penalties of perjury that no consultant to, or subcontractor for, the designer or construction manager has given, offered, or agreed to give any gift, contribution, or offer of employment to the designer or construction manager, or to any other person, corporation, or entity as an inducement for, or in connection with, the award to the consultant or subcontractor of a contract by the designer or construction manager.

The undersigned certifies under penalties of perjury that no person, corporation, or other entity, other than a bona fide full-time employee of the designer or construction manager, has been retained or hired by the designer or construction manager to solicit for or in any way assist the designer or construction manager in obtaining the contract for design services upon an agreement or understanding that such person, corporation, or other entity be paid a fee or other consideration contingent upon the award of the contract to the designer; and

Signature of individual submitting Proposal

Date

Name of Business (please type or print)

THIS FORM MUST BE COMPLETED AND FILED WITH THE PROPOSAL SUBMISSION

Attachment D: Certificate of Compliance with Massachusetts Tax Laws

Certificate of Good Standing issued by the Massachusetts Department of Revenue dated no earlier than 90 days before the bid submission deadline may be submitted in place of this certificate.

Pursuant to M.G.L. c.62C, §49A , 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.**

(1) Contractor: _____ Date: _____

Print Name: _____

Social Security Number: _____

Corporation, Association or Partnership:

_____ (Print)

Federal Tax ID Number or Social Security Number:

(2) By: _____ Date: _____
(Authorized Corporate Signature)

Title: _____

Note to Contractor***: Please sign at (1) or (2), whichever applies.

In order to comply with all laws of the Commonwealth relating to taxes, the undersigned certifies that Contractor (check applicable item):

1. _____ has filed all tax returns and paid all taxes required by law; or
2. _____ has filed a pending application for abatement of such tax; or
3. _____ has a pending petition before the appellate tax board contesting such tax; or
4. _____ does not derive taxable income from Massachusetts Sources such that it is subject to taxation by the Commonwealth

* As used in this certification, the word "Contractor" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

* 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 Town of Needham receives a signed copy of this Certification.

THIS FORM MUST BE COMPLETED AND FILED WITH THE PROPOSAL SUBMISSION

