



# CITY OF SOMERVILLE

Joseph A. Curtatone, Mayor

Purchasing Department  
City Hall 93 Highland Avenue Somerville, MA 02143

## **Request for Proposals (RFP) #17-24 Lease of Athletic Field(s) for Somerville Recreation Department**

### **I. INTRODUCTION**

The City of Somerville is seeking to acquire by lease an athletic playing field or fields in Somerville or a neighboring community during peak hours. As outlined in the [Athletic Fields Master Planning Staff Report](#) issued in June of 2016, and due to the high demand that exists on all City of Somerville fields, more hours of use on athletic playing fields are needed to accommodate demand. The athletic fields will be used by our Somerville youth sports organizations/leagues, which include Somerville High School. The target start date for the agreement is spring 2017, and multiple contracts may be awarded.

Pursuant to Massachusetts General Law (MGL) c. 30B, §16, the City is required to conduct a competitive solicitation process to acquire interests in real property with a cost in excess of \$35,000. Upon completing evaluation of proposals received and selecting the most advantageous proposal(s) based on the criteria and price set forth herein, the City would enter into a lease agreement, for one or more years, pending approval of the Board of Aldermen.

The RFP establishes an open and competitive process for identifying and selecting the most highly advantageous site(s) for use as athletic fields by the City of Somerville's youth athletic programs.

**City of Somerville:** The organization that is responsible for the leasing of real property for the proposed use as athletic fields for youth sports programming.

**Eligible Proposers:** Record owners of proposed property, brokers or other authorized agent of such record owners; master tenants whose lease permit subleasing; prospective purchasers of real property, provided that such purchasers must attach a copy of an executed purchase and sale agreement or option and a letter from the current property owner stating awareness of the proposal. Proposals must be submitted by a single ownership entity: proposals submitted by separate owners for property they own individually will not be considered.

**Existing Conditions:** The Eligible Proposer(s) shall provide to the City a set of scaled plans which accurately describes the structural, architectural, mechanical and electrical characteristics of the proposed area(s) to be leased. The City reserves the right to visit the site prior to making a final determination.

## II. SPECIFICATIONS / GENERAL REQUIREMENTS

### Minimum Requirements

1. Fields must have lights.
2. Fields must be available during peak hours from 5:00 pm -10:00 pm Monday through Friday and 8:00 am - 2:00 pm on Saturday, and during the sports seasons of fall, spring, and summer. An estimated 800 hours of field use time per calendar year is needed. Proposals that are able to accommodate a portion of this period will be considered.
3. A minimum of 3 to 4 fields per sports season will be needed to accommodate demand.
4. Fields must be striped for soccer, football, and lacrosse depending on the season.
5. Fields must have access to restroom facilities.
6. Fields must have adequate parking available for participants and spectators.
7. Field size must be a minimum of 65 x 110 yards, and the *preferred* field size is 80 x 120 yards.
8. Existing conditions of field must be safe, level, free of debris, well maintained, groomed, mowed, and if natural turf, the field must be kept at an appropriate height for sports in season.
9. Field must be within a 10 to 15 mile proximity to Somerville, Massachusetts.
10. The Somerville Parks and Recreation Department must have the flexibility to allocate field use time to various Somerville youth leagues and Somerville High School at the Recreation Department's discretion within the determined hours of use.
11. Somerville is seeking an initial lease agreement term of 5 to 10 years, with an optional renewal term of an additional 5 years.

The City reserves the right to reject any and all proposals that do not meet the minimum specifications.

Proposals will also be evaluated on such features as the overall quality of the space offered, desirability of the location, accessibility, the cost, and the references and financial strength of the owners deemed to be in the best interest of the City.

## **Broker**

The City will not pay a broker's commission or finder's fee of any kind. The selected proposer will be required to certify that it has not dealt with a broker and to hold harmless and indemnify the City from and against any claim for a broker's commission or finder's fee.

## **Due Diligence Matters**

Any real property agreement for lease shall include a due diligence period for environmental testing with an absolute right on the part of the City to terminate the lease without recourse if such testing reveals the presence of or threat of release of oil or hazardous materials of substances.

## **Timetable**

RFP release	September 14, 2016
Deadline for Submitting Questions on RFP	October 7, 2016
RFP due	October 21, 2016 11:00 am
Initial evaluation of RFPs	November 2016
Mayor's Recommendation to Aldermen	December 2016
Aldermanic Approval	Winter 2017
Execution of Lease Agreement	Winter 2017
Lease Commencement Date	April 1, 2017

## **Governing Law**

This RFP is issued pursuant to MGL c. 30B, §16 to the extent required by law for an acquisition by lease only.

## **Alternative Agreement Option**

The City may alternatively enter into a license, permit, inter-municipal or other form of agreement (to the extent applicable to a government agency) if it is in its best interest to do so. Such agreement(s) shall neither be subject to this RFP nor to MGL c. 30B.

## **III. PROCEDURES FOR EVALUATION, SELECTION AND EXECUTION OF PURCHASE OR LEASE**

**Initial Review:** The City will accept for consideration only those proposals that meet the submission requirements. Any other proposals may be rejected.

**Site Visits:** City staff will conduct site visits for all competitive, qualifying proposals, to verify the information provided in the proposals, and to perform detailed evaluations of the proposed space. The proposer should be present at the site visit or should arrange to have someone present who has the knowledge and authority to represent him or her.

**Evaluation of Qualifying Proposals:** Any proposal that the City has determined as non-qualifying will be rejected by the City. The City will notify the proposer in writing. All qualifying proposals will be evaluated on the qualitative criteria and compared with regard to the City policy objectives. The City will then prepare a cost analysis, which estimates and compares total costs of the lease for all proposals evaluated. The City will then make the final selection of a proposal or proposals.

Final approval of the property acquisition(s) by lease may be subject to approval by the Board of Aldermen.

**Preparation of the Lease:** After a proposal has been selected, the City will contact the selected owner to finalize a lease agreement. The terms of the lease must be consistent with the RFP and the selected proposal.

In addition, the Lease Agreement shall include the Basic Rent, Terms including the start and end dates, any utility cost responsibility, general use of Premises, overall maintenance of Premises, Alterations, Additions, Improvements, Signage, Insurance, Defaults, Remedies, Relationship of Parties, Notice and other provisions as needed.

The completed lease agreement will incorporate the RFP Specifications for the premises (as revised by agreement of the parties in light of the proposal and subsequent negotiation), a renovation schedule for completion of the field and related facility improvements, if any, and the schematic drawing of the premises.

**Approval of the Lease:** At the time the completed lease is ready for signatures of the landlord and the City, the City shall initiate a Purchase Order that will accompany the lease. After the lease has been signed, it should be noted that no obligation shall be considered to have incurred under the Lease Agreement unless and until said Purchase Order has been duly issued, signed and approved.

#### **IV. QUALITATIVE AND OTHER CRITERIA**

The following criteria will be used to evaluate proposals:

<b>Factor 1: The proposal offers 800 hours of field use time to Somerville each calendar year at peak hours (5pm-10pm Monday through Friday and 8am-2pm on Saturday).</b>	
<b>Highly Advantageous</b>	800 field use hours available at peak times.
<b>Advantageous</b>	400 to 799 field use hours available during some peak times (e.g. 6-9pm Monday through Friday, etc.)

<b>Not Advantageous</b>	Less than 400 hours of field use time available.
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<b>Factor 2: Proposal offers 3-4 fields that are groomed, well-maintained, and striped for the sport in season.</b>	
<b>Highly Advantageous</b>	3-4 fully groomed, mowed, and maintained artificial or natural turf fields are available.
<b>Advantageous</b>	1-2 fully groomed, mowed, and maintained artificial or natural turf fields are available.
<b>Not Advantageous</b>	Fields are not well groomed or maintained, or there are no fields available.

<b>Factor 3: Fields must have lights, adequate parking, and restroom facilities available.</b>	
<b>Highly Advantageous</b>	All fields have lights, parking (at least for 20 cars), and restrooms available.
<b>Advantageous</b>	Fields have lights, restrooms, and limited parking (fewer than 20 parking spaces for cars) available.
<b>Not Advantageous</b>	Field does not have lights, parking, or restrooms.

<b>Factor 4: Fields are within 10 to 15 miles of Somerville.</b>	
<b>Highly Advantageous</b>	Fields are fully located in Somerville.
<b>Advantageous</b>	Fields are within 10 to 15 miles of Somerville.
<b>Not Advantageous</b>	Fields are not within 10 to 15 miles of Somerville.

<b>Factor 5: Field Dimensions</b>	
<b>Highly Advantageous</b>	All Fields are 80 x 120 yards.
<b>Advantageous</b>	All fields are either 80 x 120 yards or 65 x 110 yards.
<b>Not Advantageous</b>	All fields are less than 65 x 110 yards.

## **V. SELECTION PROCESS**

A Technical Advisory Committee (“Committee”) shall be formed to evaluate proposals, including staff from the Parks and Recreation Department. The Committee shall provide the Mayor with a written report evaluating all proposals (even if only one proposal is submitted). In making its evaluation, the Committee will consider the Evaluation Criteria set forth below.

The Mayor will review the Committee’s evaluation report, rank the proposals, select the proposal(s) that, in his judgment, best meet the needs of the City in terms of location, parking, and physical space under terms that are financially advantageous to the City, and the Mayor will submit that proposal (or proposals) to the Board of Aldermen for approval.

Following, or prior to, the Board of Aldermen approval, the City reserves the right to request additional documents from the proposer, including any reports regarding the environmental condition of the property. If a mutually satisfactory lease agreement is not executed within thirty

(30) days of Board of Aldermen approval, the City shall have the further right, in its sole discretion, to terminate negotiations and select the another proposal and the first proposer shall have no rights or recourse against the City.

The City reserves the unqualified right, in its sole discretion, to extend the deadline for submission, to issue addenda, to waive minor informalities in proposal submissions, and to reject any and all proposals if deemed in the best interests of the City.

## **VI. RENT PRICE PROPOSAL FORM**

All prospective Lessors shall fill out the attached Rent Price Proposal Form for the field or fields the property owner would rent to the City on an annual basis for the specified peak times. The completed and signed Rent Proposal Form shall be included in the proposal package submitted to the City. The initial term of the lease would be for at least five (5) years and up to ten (10) years, with the option to renew for up to an additional five (5) years. The total possible lease term would be fifteen (15) years, if the initial term is ten years followed by a renewal term of five years. A property owner can offer pricing for all possible terms and term combinations:

- Initial term of five years.
- Renewal term of five years following an initial five-year term.
- Initial term of ten years.
- Renewal term of five years following an initial ten-year term.

## **VII. PROPOSAL SUBMITTAL REQUIREMENTS**

One original and one flash drive with all documents required with this proposal must be submitted marked “RFP – Acquisition of Athletic Fields by Lease.” Proposals must be received at the Purchasing Department, City Hall, 93 Highland Avenue, Somerville, MA 02143 no later than 11:00 a.m. on **Friday, October 21, 2016**.

No faxed or electronically mailed (e-mailed) proposals will be accepted. Late submissions will not be accepted and will be returned to the Proposer unopened. In the event City Hall is closed, the deadline is at the same time on the next day City Hall is open for business. The Proposal shall contain the following:

### **A. Letter of Transmittal**

The proposal shall include a letter of transmittal stating the full legal name of the owner of the property and the address of the property. The letter must be signed by the owner and addressed to Angela M. Allen, Purchasing Director, City Hall, 93 Highland Avenue, Somerville, MA 02143.

### **B. Description of Property**

1. A basic plot plan of the proposed property, including the square footage.
2. A minimum of three (3) color photographs at least 5”x 7.”

3. A written description of amenities, including, if any, outdoor lighting, existing parking spaces available, etc.

### **C. Term Sheet**

In addition to the above-reference Rent Price Proposal Form, a term sheet shall be furnished with the lease proposal as outlined below.

For a proposed lease, the term sheet must include:

- initial term of lease – minimum of five (5) years, up to ten (10)
- option to renew for an additional five-year term, for a total potential term of ten (10) to fifteen (15) years, the rent to be adjusted using the lesser of the CPI or then current fair market rents for athletic fields
- base rent (statement must outline specifically what is included in base rent)
  - base rent pricing shall be for the initial five-year or ten-year term commencing in the Spring of 2017, and
  - base rent for an optional renewal term of an additional five years
- how payment of real estate taxes, insurance, and operating expenses will be allocated between landlord and tenant and what the estimated dollar amount is for the initial term of five (5) and/or ten (10) years
- Tenant must have the right to make alterations
- unqualified right on the part of the City to assign or sublet
- insurance requirements for landlord and for tenant
- any known title encumbrances

### **D. Title Documents**

1. Proposer's Deed to property (for lease or purchase)
2. Copy of Title Insurance Policy for property, if any
3. Master Deed

### **E. Timeline**

The proposal shall include a timeline which takes into account the City's timetable above.

### **F. Certification of Good Faith**

An executed Certification of Good Faith, pursuant to G.L. c. 30B, §10, a copy of which is included as Appendix A.

### **G. Disclosure Statement**

Submittal shall include an executed Disclosure Statement, as required by G.L. c. 7C, §38, , a copy of which is included as Appendix B.



## **VIII. RULE FOR AWARD**

The most advantageous proposal(s) from a responsive and responsible proposer(s), taking into consideration price, and all other evaluation criteria set forth in this RFP, will be selected. The City reserves the right to award multiple leases pursuant to this RFP, based on its evaluation of each proposal in accordance with the criteria stated in this RFP. All lease agreements are subject to the approval of the City of Somerville Board of Aldermen.

### **A. Responsiveness of Proposal:**

The proposals will be evaluated for responsiveness to the information requested by the RFP.

### **B. Responsibility of Offeror:**

The Offeror must demonstrate ownership of the property and must not be delinquent in any taxes or other liens or payments owed to the City of Somerville.

### **C. Price:**

When a property is considered suitable based on size and location, the City will determine actual cost per square foot, including without limitation, the City's estimated cost of alterations to make the property suitable for the City's youth athletic programming needs, and the cost to the City to finance the transaction.

This RFP solicits prices for two different initial lease terms: for five years and for ten years. The City will select the initial term duration, either five or ten years, based on the most advantageous price to the City for the most highly advantageous offer based on the criteria outlined in this RFP.

### **D. Other lease terms:**

The Committee will evaluate the net economic benefit of the other lease terms to the City.

### **E. Amenities:**

Properties will be evaluated on other amenities provided, including public lighting, surrounding areas, environmental conditions, and any other upgrades or improvements of value and good condition for the stated purpose.

### **F. Readiness:**

The City wishes to acquire athletic fields by lease for use by the Somerville Parks and Recreation Department by April 1, 2017. The preferred proposal(s) will include a timeline,

which facilitates the reaching of an agreement to lease the desired real property to be ready for use as close as possible to this date.

#### **IX. RESERVATION OF RIGHTS**

The City of Somerville reserves the right to extend the deadline for submission of proposals, to waive minor informalities, and to reject any or all proposals if in its sole judgment the best interests of the City of Somerville would be served in doing so.

#### **X. ADDITIONAL INFORMATION**

For additional information, please contact Angela M. Allen, Purchasing Director, at the above address or by telephone at (617) 625-6600, x.3400, by fax at 617-625-1344 or by e-mail at [amallen@somervillema.gov](mailto:amallen@somervillema.gov).

## **APPENDIX A**

### **CERTIFICATION OF GOOD FAITH**

**Pursuant to G.L. c. 30B, §10**

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person.

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

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(Name of person signing bid or proposal)

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(Name of Business)

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(Signature)

**APPENDIX B**

**DISCLOSURE STATEMENT  
Acquisition/Disposition of Real Property**

The undersigned does hereby file the following statement with the Commonwealth of Massachusetts Division of Capital Asset Management and Maintenance (DCAMM) for the purpose of disclosure pursuant to section 38 of Chapter 7C of the General Laws of Massachusetts:

REAL PROPERTY:

LESSOR ( ): \_\_\_\_\_

LESSEE ( ): \_\_\_\_\_

TERMS:      Lease Price:  
                 Agreement Effective Date:  
                 Other:

Listed below are the true names and addresses of all persons who have or will have a direct or indirect beneficial interest in the Property. There is no person with a direct or indirect beneficial interest in the property who is either an official elected to public office in the City of Somerville or an employee of the City of Somerville.

\_\_\_\_\_ of \_\_\_\_\_  
\_\_\_\_\_ of \_\_\_\_\_  
\_\_\_\_\_ of \_\_\_\_\_

Name: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_