



Planning Department

REQUEST FOR
PROPOSALS

Project #: 9/30/13-001

TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (978) 929-6631
Fax (978) 929-6340
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Kelley's Corner Improvement Initiative

-

Town Center Planning:

Public Infrastructure Improvement Plan Zoning and Design Plan Robust Public Participation Process

Proposals are invited in accordance with the provisions of Massachusetts General Law c. 30B. Procedures under this invitation require a separate and confidential submission of a price proposal and a separate submission of a technical proposal.

This RFP is available in the Acton Planning Department, Town Hall, 472 Main Street, Acton, MA 01720, (978) 929-6631.

RFP Released: August 14, 2013.

Pre-Submittal Conference: August 26, 2013, 10:00 AM, Faulkner Room (204), Town Hall, 472 Main St., Acton MA 01720.

Proposals Due: September 30, 2013, 4:00 PM
Town Manager's Office, Town Hall, 472 Main Street, Acton MA 01720.

Anticipated Completion Date: June 2015

Steven Ledoux
Town Manager
August 14, 2013

I. CONTEXT AND PURPOSE

The Town of Acton seeks a highly experienced, multifaceted consultant team to facilitate and implement a town center community planning effort for Kelley's Corner. Kelley's Corner is a substantial commercial area in Acton located at the intersection of Massachusetts Avenue (Route 111) and Main Street (Route 27). Over the past 20 years, or so, Acton residents have highlighted the problems and unrealized potential in Kelley's Corner. Last year, the Town adopted the Acton 2020 Master Plan once again identifying the need to improve Kelley's Corner. Residents stated they felt the town has no defined town center and expressed a strong desire to establish Kelley's Corner as a walkable "downtown". More recently, at the April 2013 Annual Town Meeting the Town approved funding for the Kelley's Corner Improvement Initiative to lay the ground work for transforming Kelley's Corner into a mixed-use town center. Three main tools are specified as deliverables for this project: zoning amendments, design guidelines, and public infrastructure improvement plans.

The Town of Acton believes that transportation investments and a zoning and design plan for Kelley's Corner will help generate an economically vibrant mixed-use center. The purpose of this project is to establish a framework for zoning and design guidelines as well as a preliminary infrastructure improvement plan which creates a sense of place in Kelley's Corner. One of the Town's revitalization goals is to direct future growth to existing centers that have capacity for infill and denser development. Investing in infrastructure, zoning and design plans in Kelley's Corner will advance the Town's objectives of creating opportunities for housing diversity and help spur local and regional economic development.

The Boston Urban Land Institute (ULI) has selected Kelley's Corner for a Technical Assistance Panel (TAP) event to take place early in 2014. This will be a one-day effort, followed by a report with recommendations. See <http://www.uli.org/programs/advisory-services/technical-assistance-panels-taps/Technical> for information on the ULI TAPS program. The selected consultant is expected to participate in the TAP event as needed. Any findings and recommendations from the TAP event shall be used as appropriate to inform and guide the Kelley's Corner Improvement Initiative.

II. PROFILE OF STUDY AREA

Kelley's Corner is a mixed use area at the intersection of Rt. 27/Main Street and Rt. 111/Massachusetts Ave. (the latter a State controlled road including the intersection) near the geographic center of Acton. The Kelley's Corner zoning district is made up of approximately 47 acres of land. The area is dominated by commercial uses with some multi-family residences scattered along the perimeter. Design and layout largely stems from the 1960's and early 1970's with singular orientation towards accommodating the automobile as the only form of transportation. The businesses consist primarily of retail and restaurant uses, extending east from this intersection towards Rt. 2. The Charter Road school campus to the west and residential, mostly single-family home neighborhoods to the south abut the Kelley's Corner district. Strip mall shopping developments with significant amounts of paved parking in front house several businesses. Major tenants are Roche Brothers, T.J. Maxx and CVS. K-Mart shares a large parcel on Main Street with a vacant McDonald's building just south of the principle intersection. Several smaller buildings on separate parcels contain professional and medical offices, banks, and restaurants. A Sunoco filling station occupies a prominent corner in the intersection. A former muffler shop is now converted to a restaurant, and a bowling alley located on the south side of Rt. 111/Massachusetts Ave. has received a modest facelift.

Recent redevelopments for TD Bank and Sovereign Bank, and a brand-new CVS proposal forecast a more walkable town center – the buildings are at the street and parking/drive-ups are to the side and rear. Three parcels on the west side of Rt. 27/Main Street contain three different multifamily housing developments; two are recent redevelopments from small single-family homes. Kelley’s Corner has been served by public sewer since 2002 with capacity for additional development if higher density zoning were allowed.

Otherwise, the current infrastructure in Kelley’s Corner is tired. Sidewalk conditions will not be able to support the level of pedestrian activity needed to foster a vibrant mixed-use center. Sidewalk ramps and signals are in need of replacement to improve accessibility and safety. The main infrastructure components are approximately: 7,500 linear feet of potential and existing sidewalk with curbing, 3,750 linear feet of road widening to accommodate bike lanes, and about 1,000 linear feet of drainage and piping as well as underground utilities and turning lanes.

III. KELLEY’S CORNER IMPROVEMENT INITIATIVE GOALS

The goal of the Kelley’s Corner Improvement Initiative is to lay the foundation for a vibrant mixed-use center defined through a community planning process. The Kelley’s Corner Improvement Initiative will:

- Utilize the previous Kelley’s Corner plans and studies to the extent practicable. The Town has studied and planned for Kelley’s Corner on several occasions for more than 30 years. One effort in 1995 resulted in limited, largely ineffective zoning amendments, which still are part of the Acton zoning bylaw today governing the Kelley’s Corner zoning district. All further efforts were aborted after 2001 following Acton Town Meeting’s failure to adopt more comprehensive zoning reforms for Kelley’s Corner.
- Assess the condition of the existing infrastructure and identify potential improvement elements such as traffic signals, utilities, drainage, sidewalks, crosswalks, wheel chair ramps, public transit support, bike lanes, street furniture, landscaping, sidewalk ramps and other features to be determined;
- Provide solutions for mobility and connectivity in and around Kelley’s Corner focused on traffic, transportation, and circulation improvements designed to support Kelley’s Corner as a walkable town center for Acton residents, businesses, and anybody who wants to enjoy, shop, gather or do business in the area;
- Provide Acton and all stakeholders with a clear understanding of existing conditions and future projections and potentials related to infrastructure conditions, and commercial and residential market conditions and outlooks;
- Use effective and efficient methods of gathering informed public input throughout the planning process, including the use of visualization software;
- Define a publically supported implementable vision for Kelley’s Corner through robust, public outreach and engagement with all stakeholders;
- Provide specific recommended zoning regulations and design standards for development and redevelopment that will be successfully supported at Town Meeting;
- Identify and prioritize public infrastructure improvement elements by need, safety and cost;

- Position the Town to submit a competitive Mass Works grant application to fund complete engineering plans (100%) and construction for infrastructure improvements, or to successfully pursue other possible funding opportunities.

IV. CONTRACTUAL PROJECT OVERSIGHT

Project Oversight will be exercised by the Town Manager or his designee.

V. RELEVANT MATERIALS AVAILABLE FOR REVIEW OR USE

This RFP and related relevant documents can be viewed at the following link: <http://doc.acton-ma.gov/dsweb/View/Collection-5547>. This collection also includes previous studies and plans on Kelley’s Corner. These are useful historical references for information on background and context. They should not be viewed as guidance for preparing responses to this RFP. In addition, <http://www.acton2020.info/> contains information about the Acton 2020, Acton’s recently completed Comprehensive Community Plan. Acton 2020 outlines goals and objectives specifically relating to Kelley’s Corner and the Town’s overall “Roadmap for Guiding Growth.” The Town of Acton home page <http://www.acton-ma.gov/> has general information on the Town of Acton. The Town of Acton Geographic Information System is at <http://www.acton-ma.gov/gis>.

VI. PROPOSAL SUBMISSION REQUIREMENTS

Submission of a technical and a price proposal is required. The price proposal must be sealed and submitted separately from the technical proposal.

1. Technical Proposal

Ten (10) hard copies and one (1) electronic copy of the technical proposal must be submitted in a sealed envelope clearly marked:

Town of Acton
 Town Manager’s Office
 472 Main Street, Acton, MA 01720

PROPOSAL ENVELOPE A - TECHNICAL PROPOSAL
 Project # 9/30/13-001
 Kelley’s Corner Improvement Initiative
 Consultant Name: _____.

The technical proposal must contain the following information:

A. Cover Letter

1. A cover letter introducing the Consultant (firm) and the proposed Consultant team, including sub-consultants;
2. Identify the project manager and the name, title, address and telephone number of the person with authority to negotiate and contractually commit to all services.

B. Table of Contents

C. Consultant’s Mission Statement

1. The mission statement of the Consultant (firm) and/or a description of the firm’s purpose, mission, field of work, and primary activity area;

2. Include the same for any sub-consultant who would take on a major public role in this project.

D. Statement of Project Understanding and Approach

A statement, not exceeding 2 pages, that describes the Consultant's understanding of the project, the Consultant's project approach, and key considerations and guideposts that, in the Consultant's view, are the essence for a project success.

E. Scope of Services

A proposed scope of services that is responsive to the project goals as stated in this RFP. The scope should be detailed by tasks (and subtasks if appropriate). It should be organized chronologically in clearly defined phases, milestones, or components with proposed completion dates for each. Tasks may overlap or run simultaneously. Include an estimated schedule of hours, which the Consultant expects to spend on the various project tasks and sub-tasks, broken down by project team member, and targeted project completion date.

This RFP does not provide a detailed pre-set or suggested scope of services. The Town will initially rely on the various proposals, and then on the expertise of the selected firm or project team to fine-tune the program and detailed methodology. However, when preparing a proposal keep in mind that the project scope must contain at a minimum the following elements:

1. Study Area: Define core area of study and interacting surrounding areas.
2. Existing Conditions Analysis:
 - (a) Land Use Analysis: Analysis of existing conditions, opportunities and constraints in all relevant areas including, real estate market conditions, inventory of properties in terms of their existing land and build out and redevelopment potential, business climate, housing markets, traffic/transportation;
 - (b) Infrastructure Analysis: Identify right-of-way and property boundaries, location of utilities, drainage structures and potential barriers to and opportunities for development and redevelopment. Use existing plans of record where useful and reliable.
3. Public Outreach and Consensus Building Exercises:
 - (a) Interactive public outreach and engagement with all stakeholders: Town residents; Kelley's Corner property owners, businesses and residents; neighbors around Kelley's Corner including the Junior High and High School students and staff.
 - (b) Professional assessments of all existing conditions, opportunities, and constraints;
 - (c) Visualization Scenarios: Visualization scenarios of town center development options informed by stakeholder participation and reality checks; using primarily digital visualization tools to render zoning standards and design guidelines. Visualization exercises should cover the public realm and private property in the Kelley's Corner area;

- (d) Repeated rough cost analyses of development and redevelopment on private property to determine the financial feasibility of proposed zoning standards and design guidelines; including repeated reality checks with business professionals, and developers of commercial and residential properties.
4. Recommendations for Implementation:
- (a) Specific recommended zoning regulations and design standards for development and redevelopment on private property, and;
 - (b) Specific design parameters for work to proceed in engineering the public infrastructure improvements and amenities; including landscaping elements, lighting, parking, and street furniture.
5. Preliminary Infrastructure Plan:
- (a) Advancement of public infrastructure engineering plans to the 25% design stage (a MassDOT term for preliminary engineering plans). The 25% level of design development shall be prepared in close coordination with MassDOT's Highway Division in a manner consistent with its "Standardized Scope of Services and Work Hour Estimate Forms for Consultant Services", and in compliance with all applicable Federal and State rules, procedures, standards, manuals, specifications and guidelines, including applicable procedures and standards of the Massachusetts Highway Department 2006 Project Development and Design Guide, inclusive of drawings prepared on a CAD system and other documents illustrating the design.
 - (b) Cost estimates for final design and construction of all proposed public infrastructure improvements.

Finally, the scope must incorporate and address the following items:

- a. As with the Acton 2020 Master Planning process, the Town is looking to continuously engage many of its residents who usually do not participate in Town affairs and to reach out to all stakeholder; property owners, neighbors, all Town residents, schools, and all relevant Town and State agencies.
- b. Acton 2020 Master Plan goals, specifically the ability for Kelley's Corner to accept transfer of development rights as part of an economic and environmental sustainability plan for the Town.
- c. Low impact development, compact neighborhoods/downtown and other sustainable design principles that anticipate the future effects of climate change.
- d. The planning process and the means and methods by which to engage citizens should instill interest and motivation, inspire enthusiasm, encourage participation, and generate a sense of ownership of the recommended zoning bylaws, design guidelines and infrastructure improvements. Education will empower Acton's citizens to provide smart and relevant input into the final recommendations.
- e. The project organization and phasing must be designed in a holistic manner that fosters reciprocal and reiterative information sharing, and continuous feedback loops between the various project components and the personnel principally responsible for them. The emphasis must be on dynamic synergy, integration, and project unity.

- f. The final zoning and design recommendations will be incorporated into a well-organized and succinct document using images from visualization exercises to help describe the recommendations. This document should explain how the recommendations were derived from the land use and infrastructure analysis, and from community input. The document should be easily read and understood by all decision makers and the general citizenry in the Town. It will contain: detailed research findings, statistical data, analysis and evaluation of all community input. The zoning recommendations should provide detailed guidance for future adoption at Town Meeting.
- g. Final deliverables should be submitted to the Town in hard copy and rewriteable electronic form. Electronic engineering files must be in AutoCAD and be made available for the Town's future use.
- h. There will be a steering committee consisting of Town citizens that will provide operational input, general support, and policy direction. Meetings with the steering committee should be budgeted. Unless decided otherwise, the steering committee will consist of member of the Acton 2020 (Master Plan) Implementation Committee.
- i. The project budget should include an adequate amount of public meeting time.
- j. Coordination with MassDOT will be essential throughout the project. Meetings with MassDOT staff should be budgeted.
- k. The Town's staffing resources are limited and must be carefully allocated. Therefore, the proposed scope should, to the extent necessary, define what organizational support would be needed from the Town.
- l. The Kelley's Corner Improvement Initiative is funded through an April 2013 Acton Town Meeting appropriation. Funds available for any contract awarded as a result of this RFP are capped at +/- \$252,000. Additional funding appropriation is not a feasible option. Firms or teams submitting proposals in response to this RFP should be mindful of the funding limit.
- m. The Town reserves the right during the selection process and when negotiation a final scope and contract with the selected consultant to discuss the costs of various project components, and to modify the proposed scope of services for instance by shifting emphasis, or by deleting or adding items.

F. Project Team

The Town of Acton seeks a highly qualified consultant team with professional expertise and experience in community planning and consensus building, civil engineering, architecture, urban design, economic development, housing, real estate, project management, and community outreach.

Provide the names and the specific educational background, qualifications, and expertise of all professional members of the Consultant's and sub-consultant's (if any) project team who will actually perform the work related to some or all of the project tasks. Identify the person who will be the project manager with ultimate responsibility for the work.

The preferred project team will be led by one or two individuals with their primary expertise and educational background in architecture, community planning, consensus building and urban design. Please provide verification of the team leader's education and work experience.

G. Relevant Experience and Prior Performance

Provide details of relevant experience and prior performance of all the members of the consultant team, including the sub-consultant's team members if any. This must include:

- a. A statement outlining the relevant experience of members of the Consultant team in working on matters and projects of similar complexity, addressing all areas of expertise and experience as evident from this RFP. The statement should include the Engineering Consultant team member's experience working on State Highway and walkable town-center projects, and their MassDOT – Highway Division prequalifications.
- b. Sample materials (copies of text, plans, charts, tables, etc. not to exceed 10 pages in total) produced by the Consultant and consultant team, for a previous client(s) representing final documents or excerpts thereof on projects with similar complexity, range of tasks, and issues as outlined in this RFP. The sample materials should be from a project(s) for which the Consultant team member(s) proposed for this project had principal responsibility.
- c. A description of the substantive nature of comparable contracts recently completed by members of the Consultant team, including the party contracted with.

H. References

Provide a complete list of all relevant projects completed by the project team (the proposed project manager and the Consultant's and sub-consultant's principal team members) within the last 5 years with a contract amount of \$100,000 or more. Please do not list any projects that are not yet completed. For each project, submit a brief description, the Consultant's responsibilities, the Consultant's project manager, the level of compensation under the contract, the fate of the Consultant's work, and the name, title and telephone number of a reference person who can evaluate and judge the Consultant's performance. Indicate the relationship between the reference persons listed and the relevant professional work of the Consultant team members.

I. Competing Commitments

Consultants should discuss the means by which adequate and timely attention to this project will be assured, and identify other current or pending contracts of the Consultant firm(s), in which project team members will be or may be involved, and which might compete for time and attention of the proposed Consultant team members.

J. Minority and Women Business Enterprise Participation

The Town believes that M.G.L. c. 7, § 40N applies to the work under this RFP. Accordingly, the Consultant must provide documentation of minority and women enterprise (MBE & WBE) participation in the project. Pending the development of more specific regulations of the Commonwealth Supplier Diversity Office's (SDO, previously SOMWBA) Affirmative Marketing Program under M.G.L. c. 7, § 40N, the Town will (subject to any necessary and appropriate waivers) enforce the Affirmative Marketing Goals of the Division of Capital Asset Management ("DCAM") in consultation with the SDO as follows:

*Combined Minority Business Enterprises (MBEs) and
Women Business Enterprises (WBEs)*

Design Participation

17.9%

Construction Participation

10.4%

The combined goals require a reasonable representation of both MBE and WBE firm participation on the project. For more details and SDO guidelines pertaining to reasonable representation of MBE and WBE and waivers see <http://www.mass.gov/anf/docs/osd/sdo/forms/constmunicipalgeneralguidelines2012.pdf>. Compliance with these standards must be verified at the time of contract with the selected Consultant or Consultant Team.

K. Certificates

Signed certificates of non-collusion and tax compliance as attached at the end of this RFP.

2. Price Proposal

Three (3) hard copies and one (1) electronic copy of the price proposal are required for submission. The price proposals must be submitted separately from the technical proposal, and sealed in a separate envelope marked:

Town of Acton
Town Manager's Office
472 Main Street, Acton, MA 01720

PROPOSAL ENVELOPE B - PRICE PROPOSAL
Town of Acton – Kelley's Corner Improvement Initiative
Consultant Name: _____.

The price proposal must contain:

- A. The proposed fee for the entirety of all services proposed in the technical proposal, including but not limited to travel, meetings, telephone, postage, and reproduction.
- B. A detailed breakdown of the professional service fees by each task and sub-task as shown in the Technical Proposal (use format in Exhibit H of Exhibit 1, form of Agreement, attached to this a RFP, or similar).
- C. The hourly rates to be charged by the Consultant for services performed by each team member.
- D. Consultants must agree to honor price quotes until December 31, 2013 inclusive.

VIII. PRE-SUBMITTAL CONFERENCE

A pre-submittal conference will be held on August 26, 2013. The conference will begin at 10:00 AM in the Faulkner Room (204) Town Hall, 472 Main Street, Acton, MA 01720. No questions concerning this RFP or the project will be answered outside of this conference. However, questions that cannot be answered at the conference, will, as far as possible, be answered in writing as a follow-up to all conference attendees.

IX. PROPOSAL SUBMISSION DEADLINE

Proposals are due no later than September 30, 2013, 4:00 PM, at the Town Manager's Office, Acton Town Hall, 472 Main Street, Acton, MA 01720. Proposals sent by facsimile or e-mail will not be accepted.

X. EVALUATION AND SELECTION CRITERIA

1. Minimum Evaluation Criteria

- A. Proposals must include all documentation specified under 'Proposal Submission Requirements' and meet the proposal submission deadline above.
- B. The consultant team must include a leading team member who is a member of the American Institute of Architects and is registered and licensed as a practicing Architect in the Commonwealth of Massachusetts for 10 or more years.
- C. The consultant team must include a leading team member who is a member of the American Institute of Certified Planners (AICP) and has 10 or more years of post-certification professional experience.
- D. The Engineering Consultant team member must be a Massachusetts Registered Professional Engineer with 10 or more years of professional experience working on MassDOT – Highway Division supervised projects.
- E. The Engineering Consultant team member must be MassDOT – Highway Division pre-certified in all applicable categories.
- F. The Proposal must demonstrate a good-faith effort that the Consultant in providing the Services will comply with M.G.L. c. 7, § 40N and applicable regulations of the Commonwealth Supplier Diversity Office (SDO, previously SOMWBA) Affirmative Marketing Program, subject to any necessary and appropriate waivers approved by the SDO.

2. Comparative Evaluation Criteria

All proposals, which meet the minimum evaluation criteria, will be further evaluated on the basis of the following comparative criteria:

- A. Availability of the proposed project team to fully attend to the project as needed, to be available for all necessary meetings, and to be responsive to the reasonable requests and direction of the Towns will be deemed "advantageous".

Substantial direct and hands-on involvement of the Consultant firm's principal (not including the sub-consultant's principal) in this project will be considered "highly advantageous".

Any indication of less than a full commitment to the project because of lack of staff resources, competing contracts, or other reasons will be deemed "not advantageous".

- B. Successful experience of the project team (the proposed project manager and the Consultant's and sub-consultant's principal team members) with similarly complex planning and engineering projects that required a thorough understanding of economic development, real estate and market analysis, the fundamentals of municipal planning and land use laws and regulations in the Massachusetts context as well as Massachusetts Department of Transportation design standards, will be considered "advantageous".

A proposal will be considered "highly advantageous" if, in addition to the above, there is clear evidence in the proposal that the Consultant, or the proposed consultant team, has a wealth of knowledge and successful experience working with the Massachusetts Department of Transportation on State controlled road projects, and the MassWorks grant program.

No successful experience with relevant and comparable projects will be considered "not advantageous."

- C. Engineering consultants and/or sub-consultants having experience working on State controlled roadways that are similar to the walkable town center environment the Town of Acton wishes to achieve will be considered "advantageous."

Engineer consultants and/or sub-consultants with a clear record of success in achieving a balance with MassDOT design standards and local community goals for town center designs will be considered "highly advantageous."

No experience with designing walkable town center projects will be considered "not advantageous."

- D. Significant experience using visualization software for community planning efforts to establish zoning and design recommendations will be considered "advantageous".

A proposal will be considered "highly advantageous" if, in addition to the above, there is a clear record that the visualization tools were successful in establishing well understood and supported zoning recommendations.

A team with no experience with visualization software will be considered "not advantageous."

- E. Significant experience and educational background of the project team leader in urban design, architecture and community planning will be considered "advantageous".

A proposal will be considered "highly advantageous" if, in addition to the above, the identified project team leader has led similar community planning projects with successful outcomes through consensus building.

No educational background or successful experience of the project team leader in urban design, architecture and community planning will be considered "not advantageous."

- F. Experience of the project team (the proposed project manager and the Consultant's and sub-consultant's principal team members) with helping municipalities create and implement visions for town centers will be considered "advantageous".

A proposal will be considered "highly advantageous" if, in addition to the above, the Consultant, or the proposed consultant team, has specific working experience with using methodical approaches to prioritize public infrastructure improvements that consider a variety of costs and benefits; and if the Consultant, or the proposed consultant team, can demonstrate how the used methodologies in previous similar project assignments successfully achieved results that were realistic, attainable, fiscally sustainable, and embraced by community leaders.

No successful experience with relevant and comparable projects will be considered "not advantageous".

- G. In the event that the comparative evaluation is inconclusive after the use of paragraphs A. through F. above, at least three projects will be randomly chosen from the complete list of all projects completed by the Consultant and the Project Team (the proposed Project manager and the Consultant's and sub-consultant's principal team members) within the last 5 years with a contract amount of \$100,000.00 or more (the complete list is a submission requirement), and checked for references. The Town reserves the right to contact persons in

addition to those shown as reference persons in the Consultant's proposal. In addition and where applicable, the Town will draw upon its own prior experience with the Consultant and proposed Project team.

Overall satisfaction with the Consultant and with the detailed services and products delivered by the Consultant expressed by all references checked will be considered "highly advantageous".

Overall satisfaction with the Consultant and with the detailed services and products delivered by the Consultant expressed by at least 2/3 of the references checked will be considered "advantageous".

Overall satisfaction with the Consultant and with the detailed services and products delivered by the Consultant expressed by less than 2/3 of the references checked will be considered "not advantageous".

3. Selection Process

Technical proposals will be reviewed and evaluated without knowledge of the price proposals by a committee appointed by the Town Manager. Proposals will be evaluated based on the evaluation and selection criteria set forth herein. The committee will assign a composite rating to each proposal. Interviews may be conducted in the event that two or more Consultants appear equally most qualified after the review and evaluation of the technical proposals, or if the committee determines that the best possible choice for the Town cannot be determined without interviews. In that event, interviews will be scheduled as soon as possible. The Consultant who, in the opinion of the committee, presents his/her project approach in the most logical, clear, and understandable manner during the interview, and who, in the opinion of the committee will be the best fit for Acton in what is undeniably a high profile public consultant role, will be rated "highly advantageous". All other Consultants that are interviewed will be rated "advantageous" or "not advantageous". The committee will record its rating to each Consultant interview. The committee will report its overall evaluation results to the Town Manager or his designee along with initial recommendations, if any, for changes in the proposal's scope of services should the contract be awarded. The Town Manager or his designee will select the Consultant and award the contract taking into consideration the committee's report together with the proposed price.

XI. GENERAL PROVISIONS

1. Correspondence Prior or During Proposal Submission Period

- A. Any information released by the Town either verbally or in writing prior to the issuance of this RFP shall be deemed preliminary and bind neither the Town nor the Consultant.
- B. The Town will not accept oral supplements, revisions, or changes to the responses to this RFP. Written supplements, revisions, or changes will be accepted before the proposal deadline only.
- C. The Acton Planning Director will be the project coordinator. All inquiries and communication concerning this RFP must be made in writing (e-mail is acceptable) to Roland Bartl, Planning Director, 472 Main Street, Acton MA 01720, or if made orally, must be made at the pre-submittal conference. The Town will respond to all inquiries at the pre-submittal conference or in a memorandum following said conference, which will be sent to all conference participants as evident from the conference participant sign-in sheet.

D. Consultants must respond in writing to all follow-up questions by the Town concerning their proposal.

2. Contract Award

A. It is the Town's goal to have a Consultant selected and contract awarded by the end of November 2013.

B. The Town intends to award the contract in the form of the Agreement attached hereto as Exhibit 1 only to one prime Consultant, generally referred to herein as 'the Consultant'. The Consultant shall be solely responsible for any separate contractual agreements with its sub-consultant(s), if any are proposed and agreed to in the contract between the Town and the Consultant.

C. Pending execution of a Contract by the selected Consultant, Consultants must agree to honor price quotes until December 31, 2013 inclusive.

D. Award of the contract will be conditioned upon successful negotiation of revisions to the scope of services as deemed necessary and appropriate by the Town to implement a successful project.

E. Award of the contract is in the sole discretion of the Town Manager or his designee.

F. The Town reserves the right at any time to accept any proposal in whole or in any part, and to reject any or all proposals.

XII. PUBLIC NOTICE

Secretary of the Commonwealth - Central Register, August 14, 2013. Project Number: 9/30/13-001.

CERTIFICATE OF NON-COLLUSION

The undersigned hereby certifies under the 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 certificate, the word person shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

Signature of person signing the bid or proposal

Name of business

CERTIFICATE OF TAX COMPLIANCE

Pursuant to Ch.62C, S.49A (b) of the Massachusetts General Laws, I,

_____, authorized signatory for
(name)

_____, do hereby certify under the pains and penalties
(name of Consultant)

of perjury that said contractor has complied with all laws of the Commonwealth of Massachusetts relating to taxes.

Consultant

By: _____
(Signature of authorized representative)

(Title)

(Date)