



Town of Foxborough Development Opportunity Requests for Proposals for Downtown Mixed-Use Project

1. Development Opportunity

The Town of Foxborough (“the Town”), acting by and through its Board of Selectmen, is providing an opportunity for a qualified private developer to purchase the Project Site for redevelopment to activate this unused, well-located property. The Town seeks proposals that demonstrate a creative and responsive business approach for the Project Site, outlining an achievable development plan that is consistent with the Town’s Vision for Downtown Foxborough¹. *The Town has reserved an all-alcohol liquor license for a restaurant/pub use at this location.*

The Town seeks to dispose of the Project Site by sale to a developer for development in the manner and to the extent that the Town determines is most appropriate after meeting the Town’s minimum requirements. This transaction is based on a disposition of an interest in real property, therefore it is subject to the provisions of M.G.L. c. 30B, §16.

While the offer price is a component of any respondent’s proposal, the Town will also focus on the quality and feasibility of the proposed redevelopment plan, qualifications of the developer, and the proposed redevelopment schedule. The Town seeks to dispose of the Project Site for development that is most advantageous to the Town, taking into account the developer’s price and non-price proposals, so the Board of Selectmen has determined that this request for development proposals is best served by utilizing a Request for Proposals process. Such a process will enable the Town to evaluate factors that include, but are not limited to, the experience of developers and their demonstrated success in design and construction of both residential and business development that would result in a viable mixed-use development, experience with demolition and/or restoration of older structures, and the proposed timing for the mixed-use project (the Town seeks to activate appropriate uses on the Project Site as soon as feasible). Considering the use of the Project Site for a prospective mixed-use development is an important Town asset and the requirements for development of this Project Site are significant, it is important that the Town have the ability to select the most advantageous proposal on the basis of purchase price, quality of the development proposal, and adherence to desired specifications.

¹ [Link to Downtown Strategy Report](#)

2. Vision

The Board of Selectmen, through its Economic Development Committee (the “EDC”), has determined that a mixed-use development consisting of a restaurant on the ground floor level, facing the Town Common, complemented by housing and parking uses for the remainder of the Project Site, is the highest and best use for the Project Site. Housing will provide needed residential units in Downtown Foxborough, and a restaurant will complement the newly energized and thriving Marilyn Rodman Performing Arts Center (formerly The Orpheum Theatre), which is located across Rockhill Street from the Project Site.

This mixed-use project will be an implementation of Recommendation II-C-2 of the Town of Foxborough’s “Downtown Strategy” plan (an element of Foxborough’s awarding winning Master Plan), which specifically addressed the redevelopment of the former fire station/funeral home site as an opportunity to serve as a catalyst for downtown revitalization efforts. The Downtown Strategy also articulated a Vision for Downtown by providing guidance for future development in the following manner:

The goal should be to develop a vibrant, lively, and walkable downtown. Downtown Foxborough is the social, cultural, and civic heart of the community. Downtown will provide services and goods for local residents, area employees and visitors to Town, as well as places to meet and gather, such as cafes and restaurants. Redevelopment, new developments and improvements to the Downtown will be compatible with the scale, character, and architecture of Foxborough’s historic and rural patterns.

The project should enhance the activity base and vibrancy of Uptown Foxborough in a way that generates economic, social and cultural vibrancy for the community.

3. Project Site

The Town of Foxborough owns a 19,444+/- square foot Project Site² located across from the Town Common. The Town intends to sell this property for redevelopment as a mixed-use project. The Town’s former fire station sits towards the front of this site, facing the Town Common. This original fire station building was constructed in 1928 and is a 5,248 square foot, two-story, non-reinforced steel, masonry and wood structure. The original first floor consists of a 2,624 square foot apparatus bay with stairwell and hose tower. The second floor consists of office, kitchen, meeting room, bathroom and dormitory spaces. A partial basement is located under the apparatus bay. The basement area houses the gas fired boiler system along with a limited storage area.

² The subject parcel originally consisted of three separate parcels of property. Former Parcel 2225 (previously Assessors Map 79, Parcel 2225) contains the front portion of the building known as the "Fire House", which is a brick structure consisting of 8,969+/- square feet and other improvements thereon. A second parcel, adjacent to former Parcel 2225 and containing the rear portion of the Fire House was formerly identified as Assessors Map 79, Parcel No. 2224. The final of the three parcels is an adjacent parcel of land located at 21 Market Street and formerly known as Assessors Map 79, Parcel No. 2222. There is a building, a former funeral home, containing 3,578 square feet, more or less, on this parcel. In 2018, the three parcels were merged through the Planning Board’s approval not required process.

In 1964, a 2,460 square foot, one-story apparatus addition (three bays) was constructed at the rear of the original building. The construction also included the addition of a 560 square foot console room with public bathrooms on the front right side of the building. Since 1964, alterations to the building were limited to window and bay door replacement and minor electrical upgrades. In 2001, a significant structure repair was made from damage caused by a vehicle colliding in the front of the building. No additional work has been done to the building since 2001. It has been vacant since 2008, with the exception of being used for storage until 2015. *Proposers should indicate whether their proposal entails demolition of all or part of the former fire station and funeral home, or if redevelopment without demolition is proposed.*



The final of the three merged parcels is an adjacent parcel of land located at 21 Market Street. The Site consists of a vacant funeral home, with two vacant apartment units on the second floor. The building is in disrepair and has been vacant for almost ten years, when it was taken as property of the Town in a foreclosure. The Site building consists of a 2,172 square footprint which was reportedly constructed in approximately 1900 and historically existed as a residential dwelling.

In July 2018, the Project Site was re-subdivided to remove 1,957+/- sf of land that is located behind and adjacent to a neighboring business' garage. Therefore, the Project Site available for redevelopment is comprised of 19,444+/- sf of lot area.

4. Regulations

Zoning. The Project Site's underlying zoning is General Business (GB); however, in order to achieve a mixed-use development consisting of non-residential and residential use as envisioned by the Town, the project must be developed under the provisions of the Foxborough Center Overlay District (FCOD), which overlays the Project Site and is found in Section 9.7 of Chapter 275 of the Code of the Town of Foxborough, Massachusetts. The Project Site is also located within the Design Review Overlay District (DRD).

Development proposals submitted to the Town of Foxborough under this RFP shall be consistent with the Vision, and with the purpose of the FCOD found in Chapter 275 of the Code of the Town of Foxborough. Proposed development must comply with all relevant Town Bylaws, including but not limited to the following permits and/or approval requirements:

1. *Municipal Conversion Permit.* The purpose of the Municipal Conversion Permit is to allow the Board of Selectmen to administer the conversion of municipally-owned property in a manner that will be in harmony with the intent of the By-Laws and that will ensure the integrity of abutting neighborhoods. Section 7.1 of Chapter 275 of the Code of the Town of Foxborough, Massachusetts stipulates that no sale, lease or occupancy agreement to use municipally-owned property (except for land located within the Economic Development Area Overlay District) shall be concluded prior to the Board of Selectmen issuing a Municipal Conversion Permit. The Applicant's attention is directed to this section, as this permit is required to be issued prior to the conclusion of the sale of Project Site. *Timing for the project will be discussed and agreed upon during the Municipal Conversion Permit process, as time is of the essence for this project.*

2. *Other Required Municipal Approvals.* The Project Site is not located within a Historic District or within any conservation resource areas (wetlands, floodplain, or riverfront). Depending on the final design proposed for the Project Site, some or all of the following approvals by various agencies of the Town may be required for the development and use of the property:
 - Board of Selectmen: Municipal Conversion Permit, liquor license³, common victualler, other licenses, as needed.
 - Planning Board: Special permit (required for more than three residential units and for a brew pub) and/or site plan approval, stormwater
 - Board of Health: Hazardous materials, food sales and/or service
 - Design Review Board: The Project Site is located within Design Review Overlay District therefore the provisions of Section 9.2 of Chapter 275 of the Code of the Town of Foxborough apply.

3. *Utilities:* The Project Site is located within the Foxborough Center Sewer District, with available sewer service and capacity available for purchase. Water, natural gas, electric, and internet are all available to the subject property. A grease trap will likely be required for the restaurant use. The successful Applicant is responsible for all local/state/federal permitting and connection fees

4. *Timing.* The former fire station and funeral home have been vacant for years. The Town seeks to have redevelopment activities begin as soon as possible to activate our downtown. *The proposed timing of a project is a factor in the Town's decision.*

5. Due Diligence and M.G.L. c.21E Site Disclosure

Massachusetts Department of Environmental Protection's (DEP's) Release Tracking Number ("RTN") 4-18718 is related to a release of #2 fuel oil resulting from a leak from a former underground storage tank system located in the northern portion of the fire station site.

³ The Town has reserved an all-alcohol liquor license for the restaurant to be located on this site. This license is subject to a \$5,000 economic development fee, as well as a \$2,500 application fee.

Approximately 800 gallons of #2 fuel oil may have been released from the tank in October 2004. The Mass DEP was notified of the release immediately following discovery of the leak and RTN 4-18718 was issued for the release. As a result of completed Immediate Response Action (“IRA”) activities, a total of approximately 34 cubic yards of PCS, 4,821 gallons of oily liquids (vacuum truck extraction), and 406,747 gallons of treated groundwater, which could have potentially served as a future source of exposure to humans as well as a source of hydrocarbons to the groundwater, were removed from the disposal site and disposed of/treated/recycled in accordance with applicable regulations. Based on field observations and soil sample analyses, the majority of impacted media has been removed from the disposal site. Based on the results of the in-situ soil sample analyses following response actions, and within the limitations of the analytical methods, concentrations of petroleum hydrocarbons remaining in disposal site soil were significantly reduced. Based on the results of the Method 1 and 2 Risk Characterization (and additional comparison of soil EPC to Method 1 S-I soil standards), a level of NSR of harm to human health, safety, welfare and the environment have been achieved for the disposal site, and an Activity and Use Limitation (“AUL”) was not required. Response actions at the site are considered complete since the conditions that initiated the IRA have been satisfactorily assessed, remediated, and completed. The Town of Foxborough and the Licensed Site Professional (“LSP”)-of-Record are not presently aware of a condition or conditions that would warrant further IRA activities at this disposal site.

Based on all data collected, the septic system at 21 Market Street does not represent a Massachusetts Contingency Plan (MCP) Reportable Condition. Samples were selected from areas believed to represent worst case type scenario of the septic system at the Site. No additional assessment, remediation, or regulatory reporting at this time is required.

The Designated Developer shall be responsible for undertaking an independent review and analysis concerning physical conditions, environmental conditions, applicable zoning, required permits and approvals and other development and legal considerations pertaining to the Project Site and the proposed mixed-use development.

All respondents are strongly encouraged to visit the Project Site before submitting a proposal. The site will be delivered “as is”, without any warranty or representations by the Town with regard to existing conditions.

6. Schedule

RFP issued	January 10, 2019
RFP Responses (Proposals) due	February 15, 2019, 11:00 a.m.
Award*	On or about March 19, 2019
Closing/Grant of Municipal Conversion Permit*	On or about April 30, 2019

** The Town does not guarantee these dates, but will make every effort to achieve them to allow construction to commence during the 2019 construction season.*

The Town makes no representations or warranties, expressed or implied, as to the accuracy and/or completeness of the information provided in this RFP. Prospective developers will be expected to undertake their own review and analyses concerning physical conditions, environmental conditions, applicable zoning, required permits and approvals, reuse potentials, and other development, ownership and legal considerations (including, but not limited to, any applicable public construction and/or fair wage laws).

All Proposals shall be deemed to be public record within the meaning of M.G.L. Chapter 4, Section 7(26) after the Proposal Due Date.

7. Submission Requirements

All proposals must be submitted in accordance with the terms and conditions of this RFP to the Town Manager's Office, Foxborough Town Hall, 40 South Street, Foxborough, MA 02035, no later than 11:00 am, February 15, 2019.

Developers shall submit an original and 9 copies of their Proposals in a sealed envelope together with a USB flash drive of the Proposal in pdf format. Neither faxed nor emailed Proposals will be accepted. Envelopes shall be marked:

"Town of Foxborough - Proposal for Downtown Mixed-Use Project"

Proposals may include any materials and information that the developer feels are necessary to satisfy as many of the recommended features of the Project description as practicable. A developer may not correct or modify a submitted Proposal in any manner unless authorized by the Town in its sole discretion.

A complete proposal shall include the following:

- A. **Statement of Interest:** Provide a statement of proposer's interest in development of the project; highlights of the proposer's qualifications; a description of how the proposed concept addresses the objectives listed in this RFP; and a brief description of project team.
- B. **Applicant Qualifications:** Provide an organizational chart describing the entities and key personnel on the proposer's team; CVs for lead personnel, and a brief description of similar projects completed by the team in the past fifteen years.
- C. **Development Project Experience:** Provide up to five (5) examples that demonstrate successful mixed-use projects in a downtown environment. If the Developer intends to propose a mixed-use development, provide examples of projects that incorporate residential with retail/commercial uses into the development. Please include the following information for each past project example: a) location and photographs; b) Identify the number of units, the mix of units, the unit sizes, number of square feet and any customer survey/satisfaction information; c) Present the total development cost; identify the amount of debt and the amount of equity used to finance project, and economic return(s) achieved;

- d) Identify the key development team members. If any team members are different from the team being proposed for this project, provide an explanation of why the new team member(s) were selected.
- D. A Conceptual Description of the proposed development that includes:
- Development program, including floor area for the specific types of residential and nonresidential uses that will be sought
 - Estimated ground coverage, height, and gross floor area of the buildings
 - The number of dwelling units proposed by size, tenure (whether rented or owned), level of affordability, and accessibility provisions, if any, beyond code compliance
 - Description of how the proposed uses will relate programmatically to the surrounding land uses and the Town, identifying the basis for anticipating the degree to which the nonresidential uses will attract people to and thus enliven the vicinity
 - Description of the physical design of the development in words, graphics, or both, including indication of the number of buildings anticipated, how parking is to be accommodated as divided among at-grade, above-grade, and below-grade options and indication of points of access into the site for pedestrians, autos, and servicing trucks
- E. Project Schedule that sets out the anticipated time of commencement of construction, how work would be phased, length of likely construction, and identification of contingencies that might alter the timing.
- F. Financial Information that includes:
- Anticipated financial and management interests in the development
 - Strategy for securing equity and financing
 - Banking references
 - Pro Forma
- G. Financial Proposal that includes the amount to be paid by the developer for purchase of the Project Site. The Town has established a minimum price of \$400,000 premised upon the value of this Project Site; however, the Town, in its discretion, may consider a lower price proposal based on the quality of Proposal, Project Team and timing detailed in the Project Proposal.
- H. RFP security in the amount of \$2,500. Such security shall be payable to the Town in the form of cash, certified check, treasurer's or cashier's check issued by a responsible bank or trust company, or a bid bond issued by a surety licensed to do business in the Commonwealth of Massachusetts; and shall be conditioned upon the faithful performance by the principal of the agreements contained in its proposal.

All security shall be retained until the execution and delivery of the Owner/Developer agreement.

The RFP security covers the Town for damages when a proposer withdraws its proposal after the submission date. Be advised that to the extent permitted by law the Town will retain all RFP security for withdrawn proposals.

- I. A disclosure of whether or not the developer and/or any of the developer's principals, partners, co-ventures and/or subcontractors participating in the proposal or the project has been dismissed or disqualified from a bid or contract within the past five years, and if yes, the reason(s) why.
- J. A disclosure of any conditions (bankruptcy or other financial problems, pending litigation, planned office closures, impending merger) that may affect the developer's ability to perform contractually. If a joint venture, a disclosure is required for each partner in the joint venture.

Following the deadline for receipt, the Town Manager or his designee will open the Proposals and prepare a register of those developers submitting Proposals which shall be available for public inspection. In the event that the Town Hall is not open on the date or at the time the proposals are due, proposals shall be due at the same time on the next following business day that the Town Hall is open.

All proposals shall remain firm for ninety (90) calendar days after the Proposal opening.

8. Selection Process

The Downtown Foxborough Mixed-Use Project development contract will be awarded to the most advantageous proposer, as determined by the Town at its sole discretion. The selection process will be made in three phases: (1) Each proposal will be reviewed to see whether all Submission Requirements (Section 7 of this RFP) have been met, and any proposal not meeting those requirements will be eliminated from consideration; (2) proposals that satisfy the minimum requirements will be evaluated in accordance with Section 10 of this RFP, with each proposer being assigned criterion and composite rating by the individual evaluator appointed by the Town; and (3) the evaluations will be reviewed in conjunction with the financial proposals, the results of any interviews and any additional information requested by the Town, on which basis the most advantageous proposer will be identified.

During the Selection Process, the Town reserves the right for any reason deemed appropriate by the Town to waive portions of the RFP; to waive any minor informality in a proposal; to request "best and final" offers; to reject any and all Proposals; to terminate this RFP; and to issue a new RFP.

The Town reserves the right to reject any and all Proposals if it determines that the criteria set forth have not been met or for any other reason in its sole discretion.

Within 60 days of being selected, the Designated Developer shall provide to the Town:

- Purchase and Sale Agreement approved by the Town and executed by the Developer
- A deposit equal to 10% of the Purchase Price.
- A signed Disclosure Statement of Beneficial Interest in accordance with M.G.L. c.7, §40J.
- Any other documents as required by the Town

If the required documents are not executed and submitted to the Town within the specified time, the Designated Developer's selection will automatically expire, unless extended in writing by the Town in its sole discretion.

The Town reserves the right to negotiate with another proposer if the Designated Developer and the Town are unable to negotiate a Purchase and Sale Agreement satisfactory to the Town in its sole discretion.

9. Proposal Minimum Requirements

In order to be considered for evaluation, the proposal must have met the RFP minimum requirements by providing the following with its proposal:

- A. The Proposal must be a Complete Proposal as defined in Section 7 above.
- B. At least one member of the Development Team must have completed one comparable Mixed-Use Development within the past five (5) years.
- C. The key members of the Development Team must each submit three (3) satisfactory references.
- D. RFP security in the amount of \$2,500.
- E. The Developer must provide evidence of financial capacity to undertake the proposed development.
- F. Certificate of Non-Collusion.
- G. Attestation - Certificate of Compliance with State Tax Laws, M.G.L. c. 62C, §49.

10. Evaluation of Proposals

All proposals will initially be reviewed by the Planning Director and Town Manager to ensure the Proposal Minimum Requirements have been satisfied. All Proposals meeting the Minimum Requirements will be forwarded to the Foxborough EDC for their review and consideration. The EDC will review each proposal for responsiveness to the comparative evaluation criteria below.

Ranking of proposals will be based upon an evaluation and analysis of the information and materials required under the Project Description in this RFP. Each member of the EDC will assign a rating of Highly Advantageous, Advantageous, or Unacceptable to each comparative evaluation criterion. Based on these evaluation criteria ratings, a composite rating will be created by each evaluator for each proposal by combining the collective ratings. The Proposals will also be evaluated and ranked based on their financial benefit to the Town.

Based on the individual members' composite ratings for each Proposal, the Town Manager will bring the top three proposals to the Board of Selectmen for their review and consideration. The Town Manager may make a recommendation as to which proposal is most advantageous

based on the composite ratings, responsiveness of the Proposal to the Town's use and design preferences, and financial benefits to the Town, however the final decision shall rest with the Board of Selectmen.

Comparative Evaluation Criteria

- a. Consistency with Project Vision Described in Section 2
 - *Highly Advantageous:* Conceptual plan and description incorporates all of the desired attributes listed in the Vision section.
 - *Advantageous:* Conceptual plan and description includes some desired attributes included in the Vision section.
 - *Unacceptable:* The project fails to include the desired attributes listed in the Vision section.
- b. Consistency with Downtown Vision and Downtown Strategy
 - *Highly Advantageous:* Conceptual plan and description is consistent with and should enhance the Downtown Vision and Downtown Strategy.
 - *Advantageous:* Conceptual plan description is somewhat consistent with the Downtown Vision and Downtown Strategy
 - *Unacceptable:* Conceptual plan description is not consistent with the Downtown Vision and Downtown Strategy.
- c. Qualifications of Project Team.
 - *Highly Advantageous:* Project Team has successfully completed mixed-use projects of similar scope, including redevelopment of municipal properties, and has demonstrated a high likelihood to complete the Project successfully and in an expedited manner.
 - *Advantageous:* Project Team has some development experience and has a reasonable likelihood of completing the Project acceptably and on time.
 - *Unacceptable:* Project Team does not have documented experience with mixed-use redevelopment projects.
- d. Project Feasibility, Including Ability to Obtain Financing
 - *Highly Advantageous:* Proposal includes details on committed tenants and financing. High likelihood that developer has the ability and the resources to complete its project in the manner proposed.
 - *Advantageous:* Reasonable likelihood that developer has the ability and the resources to complete its project in the manner proposed.
 - *Unacceptable:* Developer does not have the ability and the resources to complete its project in the manner proposed.
- e. Project Timing
 - *Highly Advantageous:* Proposal includes a detailed timeline projecting the developer's ability to complete required permitting and begin construction as soon as possible after purchase.

- *Advantageous*: Proposal includes a timeline demonstrating the developer's ability to begin construction within one year after purchase.
- *Unacceptable*: Proposal includes a timeline without sufficient detail or the proposal does not include any timeline.

11. Award of Contract

The RFP contract will not necessarily be awarded to the developer submitting the Proposal that receives the highest rankings or submits the highest financial proposal. The Town will award the contract to only one responsive and responsible developer submitting the Proposal that is most advantageous to the Town taking into consideration the evaluation criteria and composite rating; responsiveness of Proposal to the Town's use and design preferences; financial benefits to the Town; and the Financial Proposal. Before awarding the RFP, the Town may request additional information from prospective developers, or may require interviews.

The Board of Selectmen will select the Designated Developer, taking into consideration the recommendation of the EDC, the Town Manager, and the Financial Proposal.

12. Applicability of Public Construction Laws

It is the Town's intent that any agreement resulting from this RFP shall be for a private development to which none of the laws and regulations applicable to public construction projects shall apply. The Town has established certain Proposal Minimum Requirements (See Section 9 herein), but otherwise the successful developer shall be responsible for the design and construction of its Project. The Town shall have the right to inspect the Project during construction for the purpose of assuring that construction is following the developer's Proposal and not to modify the design or the manner of construction except to the extent any municipality might exercise its health, safety, and zoning powers for any private construction project.

13. Disclaimer/Reservation of Rights

The Town makes no representations or warranties, express or implied, as to the accuracy and/or completeness of the information provided in this RFP. The Project Site will be disposed of to the Selected Developer in "AS-IS", "WHERE IS" and with "ALL DEFECTS" without any representation, warranty or covenant of any kind whatsoever, and the successful developer shall agree to accept the Project Site in such condition without recourse to the Town of any kind or for any reason whatsoever.

The Town reserves the right to extend the deadline for submission of Proposals, to request supplementary information, to conduct interviews with any or all of the developers submitting proposals, to waive minor informalities, and to reject any or all proposals, in whole or in part, if in its sole judgment the best interests of the Town would be served in doing so. The Town will reject any and all proposals when required to do so by applicable law.

The Town reserves the right to negotiate any and all terms of a Land Disposition Agreement (Purchase and Sale Agreement or other agreement with the Designated Developer). If such negotiations cannot be concluded successfully with the Designated Developer, the Town may choose to negotiate an agreement with the next Designated Developer from the pool of proposers, to terminate this RFP process, or to begin a new RFP process.

Execution of a Land Disposition Agreement with the Town for the Project Site in no way constitutes satisfaction of any applicable Town bylaws nor guarantees issuance of any required Town permit, including a special permit/site plan approval or municipal conversion permit.


William G. Keegan, Jr.
Town Manager

Attachment A
Certificate of Non-Collusion

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

Signature of person submitting contract/bid

Date

Name of Business

Attachment B
Certificate of Tax Compliance

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

*Social Security Number or
Federal Identification Number*

Signature of Individual or Corporate Name

Corporate Officer (if applicable)

Attachment C
Financial Proposal For Foxborough Downtown Mixed-Use Project

TO THE AWARDING AUTHORITY:

A. The undersigned proposes to undertake the development of the School Street Parcel in accordance with the terms and conditions set forth in the Proposal submitted herewith and, in addition, to and in consideration therefore to pay the Town as provided below.

B. The proposed price is:

Purchase: \$ _____

COMPANY: _____

C. The undersigned certifies that this offer fully complies with all of the requirements of the Request for Proposals.

D. The undersigned further certifies under the penalties of perjury that this proposal 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 sign design or consultation work in the Commonwealth under the provisions of section twenty-nine F of chapter twenty-nine, or any other applicable debarment provisions of any other chapter of the General Laws or any rule or regulation promulgated thereunder.

Date _____

(Name of Developer)

(Signature)

(Printed Name and Title of Signatory)

(Business Address)

(Town, State Zip)

(Telephone/Fax)

(Email address)

NOTE: If the developer is a corporation, indicate state of incorporation under signature, and affix corporate seal; if a partnership, give full names and residential addresses of all partners; and if an individual, give residential address if different from business address.

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