

**Town of Mendon  
Mendon, Massachusetts**

# **REQUEST FOR QUALIFICATIONS**

## **FOR DESIGNER SERVICES**

**RELATED TO ADAPTIVE REUSE OF THE EXISTING  
FORMER CHURCH TO THE NEW TAFT PUBLIC LIBRARY  
29 NORTH AVENUE, MENDON, MA 01756**

**September 25, 2013**

### **RESPONSES DUE:**

**Thursday, October 24, 2013, 2:00 P.M. LOCAL TIME**

Late Responses Will Be Rejected

### **DELIVER COMPLETED RESPONSES TO:**

Office of the Board of Selectmen  
Mendon Town Hall  
20 Main Street  
Mendon, MA 01756

## **NOTICE TO RESPONDERS**

The Town of Mendon, Mendon Town Hall, 20 Main Street, Mendon, MA 01756 (“the Town”), acting through the Mendon Board of Selectmen, invites the submission of sealed responses for designer services related to adaptive reuse of the existing former church to the New Taft Public Library, 29 North Avenue, Mendon, MA 01756. The Request for Qualifications (“RFQ”) may be obtained from the Office of the Mendon Board of Selectmen, Mendon Town Hall, 20 Main Street, Mendon, MA 01756, between 8:00 A.M. and 3:00 P.M. local time, Monday through Thursday, beginning on Wednesday, September 25, 2013. (Town Hall is closed on Fridays.) It is also available on the Mendon Taft Public Library website: <http://www.taftpubliclibrary.org/library-relocation-project/>. No formal Pre-Response Conference will be held. A voluntary site visit will be held on October 2, 2013 at 2:00 P.M. at 29 North Ave., Mendon, MA 01756. Contact: Diane Willoughby, Administrative Assistant to the Board of Selectmen, (508) 473-2312 or [bos@mendonma.gov](mailto:bos@mendonma.gov). Sealed Responses, contained in sealed envelopes marked, “RFQ: Designer Services Related to Adaptive Reuse of the Existing Former Church to the New Taft Public Library, 29 North Avenue, Mendon, MA 01756,” will be accepted at the Office of the Mendon Board of Selectmen, Mendon Town Hall, 20 Main Street, Mendon, MA 01756, until 2:00 P.M. local time on Thursday, October 24, 2013. (If on October 24th the Mendon Town Hall is closed due to uncontrolled events such as fire, snow, ice, wind, or building evacuation, the deadline will be extended to 2:00 p.m. on the next business day.) All Responses shall comply with the RFQ issued by the Town of Mendon, including, without limitation, Section 1, Instructions to Responders, and Response Submission Requirements. The Town reserves the right to waive any informality in or to reject any, any part of, or all Responses in the best interest of the Town. Any Response submitted will be binding for sixty (60) days subsequent to the deadline date for receipt of sealed Responses. The Successful Responder’s fee will be negotiated and will be applied to any Contract awarded. The fee shall not exceed the sum of one hundred twenty five thousand six hundred dollars and no cents (\$125,600.00). No formal, definitive pre-solicitation study has been developed. The Project budget, including construction costs and design fees, has been established at approximately one million seven hundred thousand dollars and no cents (\$1,700,000.00).

## **I. INTRODUCTION**

Pursuant to M.G.L. c. 7C, §§44 *et seq.*, the Town of Mendon, Mendon Town Hall, 20 Main Street, Mendon, MA 01756 (“the Town”), acting through the Mendon Board of Selectmen, invites the submission of sealed responses for designer services related to adaptive reuse of the existing former church to the New Taft Public Library, 29 North Avenue, Mendon, MA 01756. For a full description of such services, please refer to Section 3 of the Request for Qualifications (“RFQ”).

Copies of the RFQ may be obtained from the Office of the Mendon Board of Selectmen, Mendon Town Hall, 20 Main Street, Mendon, MA 01756, between 8:00 A.M. and 3:00 P.M. local time, Monday through Thursday, beginning on Wednesday, September 25, 2013. (Town Hall is closed on Fridays.) It is also available on the Mendon Taft Public Library website: <http://www.taftpubliclibrary.org/library-relocation-project/>.

No formal Pre-Response Conference will be held. A voluntary site visit will be held on October 2, 2013 at 2:00 P.M. at 29 North Ave., Mendon, MA 01756. Contact: Diane Willoughby, Administrative Assistant to the Board of Selectmen, (508) 473-2312 or [bos@mendonma.gov](mailto:bos@mendonma.gov).

Questions regarding this RFQ shall be submitted in writing and shall be delivered to the Office of the Board of Selectmen by 3:00 P.M. on Thursday, October 10, 2013. Questions presented after this time shall not be considered. No question shall be considered which is not submitted in writing. Any questions requiring consideration shall be answered in an addendum delivered to all registered Responders and posted on the Mendon Taft Public Library website: <http://www.taftpubliclibrary.org/library-relocation-project/>.

Eleven (11) copies of the Response, together with one (1) copy in electronic format, and contained in sealed envelopes marked “RFQ: Designer Services Related to Adaptive Reuse of the Existing Former Church to the New Taft Public Library, 29 North Avenue, Mendon, MA 01756,” will be accepted at the Office of the Mendon Board of Selectmen, Mendon Town Hall, 20 Main Street, Mendon, MA 01756, until 2:00 P.M. local time on Thursday, October 24, 2013. If on October 24th the Mendon Town Hall is closed due to uncontrolled events such as fire, snow, ice, wind, or building evacuation, the deadline will be extended to 2:00 P.M. on the next business day.

Each Responder’s name, address and contact phone number shall be clearly visible from the outside of each sealed envelope. The clock in the Office of the Mendon Board of Selectmen in the Mendon Town Hall shall be considered official. No late Responses shall be accepted. No faxed Responses shall be accepted. Conditional Responses will not be accepted.

Each Response shall be submitted in accordance with the Submission Requirements in order to be considered for award. Any Response submitted shall be binding for sixty (60) days subsequent to the time of the opening of Responses.

The Town **will not** reimburse Responders for any costs incurred in preparing Responses in response to this RFQ.

Submission of a Response shall be conclusive evidence that the Responder has examined this RFQ and is familiar with all the conditions of any contract awarded by the Town. Upon finding any

omissions or discrepancy in this RFQ, each Responder shall notify the Town immediately so that any necessary addenda may be issued. Failure of a Responder to investigate completely the RFQ and/or to be thoroughly familiar with this RFQ shall in no way relieve any such Responder from any obligation with respect to the Response.

By submission of a Response, the Responder agrees that if its Response is accepted, then it shall enter into a Contract with the Town which incorporates all of the requirements of this RFQ. By submission of a Response, the Responder further indicates acceptance of all terms and conditions of this RFQ.

Changes, modifications or withdrawal of Responses shall be submitted in writing to the Town prior to the deadline and shall be contained in a sealed envelope clearly marked, as appropriate, "CORRECTION, MODIFICATION OR WITHDRAWAL OF SEALED RESPONSE FOR DESIGNER SERVICES RELATED TO ADAPTIVE REUSE OF THE EXISTING FORMER CHURCH TO THE NEW TAFT PUBLIC LIBRARY, 29 NORTH AVENUE, MENDON, MA 01756." No corrections, modifications, or withdrawal of Responses shall be permitted after Responses have been opened.

For further information, please refer to the succeeding sections, with which each Responder shall comply in submitting a Response.

## **II. PRE-RESPONSE CONFERENCE/MANDATORY WALK-THROUGH/QUESTIONS**

No formal Pre-Response Conference will be held. A voluntary site visit will be held on October 2, 2013 at 2:00 P.M. at 29 North Ave., Mendon, MA 01756. Contact: Diane Willoughby, Administrative Assistant to the Board of Selectmen, (508) 473-2312 or bos@mendonma.gov.

Questions regarding this RFQ shall be submitted in writing and shall be delivered to the Office of the Board of Selectmen by 3:00 P.M. on Thursday, October 10, 2013. Questions presented after this time shall not be considered. No question shall be considered which is not submitted in writing. Any questions requiring consideration shall be answered in an addendum delivered to all registered Responders and posted on the Mendon Taft Public Library website: <http://www.taftpubliclibrary.org/library-relocation-project/>.

## **III. BACKGROUND & SCOPE OF SERVICES**

The Town of Mendon, acting by and through its Board of Selectmen and the New Taft Public Library Building Committee (Committee), collectively referred to herein as the "Town" seeks services of a qualified "Design Firm" as defined in Massachusetts General Laws Chapter 149 Section 44A 1/2 and as further defined in the RFQ to provide Design Services for design development, construction documents, bid and award, renovation and final closeout.

Project:	Adaptive reuse of an existing, former church building into a new library at 29 North Ave, Mendon MA. 01756
Estimated Project Cost:	\$1,700,000.00
Existing Facility:	(+/- 2,000 sq. ft.) 18 Main Street, Mendon MA. 01756

Time Frame:	Design Services to start on or about 12/1/2013
Building construction:	Commence Construction-Spring 2014
New Facility:	6,500 (+/-) square feet

The Town of Mendon is a suburban residential community with a population of approximately six thousand one hundred fifty-nine (6,159) residents, located in Southern Worcester County.

The Town of Mendon has approved funding of approximately one million seven hundred thousand dollars (\$1,700,000.00) as a total budget (including Town's project manager and Design Firm services) to renovate the former St. Michael's Roman Catholic Church Building as the new Taft Public Library for the Town of Mendon.

The Trustees of the Taft Public Library negotiated a price of \$360,000 to purchase the St. Michael's Church property on North Avenue. Mendon Special Town Meeting voters overwhelmingly approved spending five thousand dollars (\$5,000.00) to bind a Purchase and Sales Agreement, providing the Town time to bring warrant articles for the purchase and renovation of the church before voters at the September 2012 Special Town Meeting and a ballot in the November 2012 elections.

The Trustees explored alternatives for the future of the library, including renovation and expansion of the current building, constructing a new building on land the Town already owns, and searching for other existing buildings suitable for conversion to library use.

A Request for Qualifications was issued to architectural firms and several were interviewed to prepare schematic designs and a detailed renovation budget for the former St. Michael's Church property. Drummey Rosane Anderson ("DRA") was selected and worked with library directors and trustees through an iterative process to identify needs and then refine plans that optimize functionality and economy of operation while minimizing total renovation costs.

In researching opportunities to further reduce renovation expenses, the Trustees reached out to Blackstone Valley Regional Technical Vocational High School (BVT). BVT worked directly with trustees and the architect to identify which construction tasks could be accomplished by BVT students and the estimated savings to the Town of Mendon. The school has reserved time during the 2013-14 school year to assist with the renovation work as applicable.

At the September 25, 2012 Special Town Meeting, voters approved both library articles by a wide margin. Two debt exclusion questions then passed voter approval on the November 6th ballot. Although the full cost for renovations and moving is requested, the Town expects to realize savings by collaboration with BVT, advantages provided by the competitive economic climate, and fundraising initiatives.

## **Scope of Services**

The Successful Responder shall be responsible for providing the following services, which shall include, but shall not be limited to, the following: preparation of all site plans, construction plans, specifications, cost estimates, bidding documents, assistance with the bid process, and construction administration services.

The Successful Responder shall consult, shall coordinate, and shall work closely with the Committee, the Owner's Project Manager (OPM) and other Town officials to finalize and select a design option, including "green" building and energy/water efficiency components, to develop construction bid documents, and to provide construction administration services for the project.

Value analysis of preliminary schematic designs is required, along with the development of updated construction and operation budgets for Committee approval. A well-developed and complete set of plans and specifications is expected to be subject to a second value analysis which may, at the sole discretion of the Town of Mendon, involve the participation of a project manager, prior to release for construction bidding. This second value analysis and constructability review shall be included in the scope of design and construction administration.

The Successful Responder is responsible for final design compliance with the Americans with Disabilities Act guidelines and all applicable building and life safety codes.

The general scope of work shall include, but shall not be limited to, the following tasks:

- A. Design Development. This phase shall consist of preparing detailed design and program documents and related services. The program documents shall include, but not be limited to, the following:
  - 1. Complete and well detailed drawings and outline specifications, site plans, floor plans, and elevation drawings.
  - 2. Capital construction cost estimates and schedules, including phasing, site work and construction staging areas.
  - 3. Furnishings and equipment cost estimates and coordination into design spaces.
  - 4. Annual operation/maintenance cost estimates, based on accepted engineering practices for energy consumption of installed equipment.

The Successful Responder shall be required to cooperate with the Committee in the provision of services for the project, which shall include, but which shall not be limited to, value engineering, construction phasing, and overall coordination.

B. Construction Documents

1. The Successful Responder shall prepare complete working drawings and specifications in sufficient detail to permit firm bids within the M.G.L. Chapter 149 in open competition for construction of the Project.
2. Detailed cost estimates for the Project shall be further developed, and shall include quantities of all materials and unit prices for labor and materials as well as cost estimates for each item of work.

C. Bidding - M.G.L. Chapter 149. The Successful Responder shall coordinate review and comments with the Owner's Project Manager prior to the release of the following:

1. The Successful Responder shall prepare the final construction contract documents, including advertising for receipt of bids from construction contractors.
2. The Successful Responder shall assist in distributing the bidding documents to prospective bidders and shall assist the Town in prequalifying bidders.
3. The Successful Responder shall prepare and shall distribute all addenda and shall conduct a pre-bid conference.
4. The Successful Responder shall review all bids and shall make a recommendation of award to the Town.

D. Construction Administration Services

1. The Successful Responder shall be charged with the general administration of the construction contract, although the Committee reserves the right to contract with a separate project management firm for certain services.
2. The Successful Responder must be present and active on the site periodically during the lifetime of the project. Construction oversight should be coordinated with the Project Manager (if any) to assure work is in accordance with specifications until the completion and acceptance of the project.

3. The Successful Responder shall participate in on-site project meetings with General Contractor, Site Coordinator and the Taft Library Building Committee and others as required by the Town.
4. The Successful Responder shall require each consultant employed by the Successful Responder to make site visits periodically for the same purposes during the progress of that portion of the construction to which the consultant's services relate; and to report in writing thereon to the Successful Responder.
5. The Successful Responder shall check and approve samples, schedules, shop drawings and other submissions by the General Contractor.
6. The Successful Responder shall recommend condemnation of all project work observed by the Successful Responder that fails to conform to the contract documents.
7. The Successful Responder shall decide all questions regarding interpretation of or compliance with the construction documents, except as the Town may, in writing, otherwise determine.
8. The Successful Responder shall review and shall act upon all requests for changes in the plans, specifications or contracts for the project.
9. The Successful Responder shall report to the Town, in writing, on the progress of the construction.
10. The Successful Responder shall conduct semi-final and final inspections of the construction project and report the results of such inspections in writing to the Town.
11. The Successful Responder shall provide construction close out documents at the completion of the project in AutoCAD and PDF format.
  - a) All drawings shall be provided in standard AutoCAD software (release number and version to be established at time of contract execution) or in a compatible electronic CADD (.dxf) format or other industry-standard format as approved by the Town.
  - b) All other documents shall be provided in PDF format, Microsoft Word, Excel, Project, or PowerPoint, as applicable to the particular submittal.

### **Anticipated Schedule**

9 / 25 /13	Advertise RFQ in Central Register of the Commonwealth of Massachusetts and a newspaper of general circulation in the area in which the Project is located or to be located (Milford Daily News).
10 / 2 /13	Site Visit
10 / 10 /13	Last day for questions from Responders
10 / 24 /13	Responses due
10 / 30 /13	Responders short-listed
11 / 8 /13	Interview short-listed Responders
11 / 11 /13	Final selection submitted to the Board of Selectmen for review and approval
11 / 18 /13	Negotiate with selected Responder
11 / 25 /13	Execute contract

### **IV. RESPONSE SUBMISSION REQUIREMENTS**

To be considered responsible and responsive and eligible to submit a Response for consideration, Responders shall submit Responses that comply with the following requirements:

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

Responders shall submit cover letters with their Responses. Each cover letter shall be signed by the Responder, stating that the Response is effective for at least sixty (60) calendar days from the deadline date for receipt of sealed Responses, or from the date upon which this RFQ is cancelled, whichever occurs first.

#### **B. Table of Contents**

Responses shall include a table of contents, properly indicating the section and page numbers of the information included.

#### **C. A Fully-Executed Scope of Services**

Each Responder shall submit a written narrative which explains in detail the scope of services to be provided by that Responder.

## **D. Other Documents**

Each Responder shall submit the following:

- 1) A fully executed Response Form (Attachment A).
- 2) A fully executed Certificate of Non-Collusion (Attachment B).
- 3) A fully executed Certificate of Tax Compliance (M.G.L., c.62C, §49A) (Attachment C).
- 4) A fully executed Conflict of Interest Certification (M.G.L. c.268A) (Attachment D).
- 5) A fully executed Certificate of Corporate Responder (Attachment E).
- 6) A fully executed Certificate of Compliance with M.G.L. c. 151B (Attachment F).
- 7) A fully executed Certificate of Non-Debarment (Attachment G).
- 8) A certificate of insurability from an insurance company that is licensed to do business in the Commonwealth of Massachusetts indicating that all the provisions of the specifications can be met, shall be submitted with the Response documents.
- 9) A copy of a Letter of Good Standing from the Secretary of the Commonwealth's Office.
- 10) The identity of the individual, partnership or corporation applying for contract award and credentials of the key personnel who would actually perform the work, as well as their managers, and the nature of the supervision. State the responsibilities of each of the work personnel. If the Responder intends to sub-contract or any work required in the scope of services, the sub-contractor shall be identified. Sample work products are required for all personnel. This item is a major determinant in assessing the Responder's qualifications and shall be incorporated as a condition in the contract to be awarded.
- 11) An applicant qualifications statement, including professional qualifications and work experience attesting to capacity to perform the required work program. Include resumé(s), detailing academic and professional work experience attesting to capacity to perform the required work program. Resumés are required for all work personnel.
- 12) A detailed explanation of the Responder's approach to the work: methodology, demonstrated understanding of the scope of work, and the Responder's expectations of assistance and services from the Town. A technical work plan and timeline for accomplishing the tasks described in the scope of services shall be provided.
- 13) A client reference list, with names, addresses, telephone numbers, and e-mail addresses (if available) for clients for whom the Responder has performed similar services within the past five (5) years.
- 14) Any other information deemed relevant to the work, and which the Responder believes will further the competitiveness of the Response.
- 15) A statement of any legal proceedings pending or concluded within the past five (5) years relating to the performance of services by the Responder.
- 16) A description of past performance in both public and private contracts held by the Responder.
- 17) A statement of financial stability of the Responder. Each Responder shall provide the last two (2) year-end Financial Statements with supplemental schedules or last two (2) year's Balance Sheets.
- 18) A list of on-staff structural engineers who specialize in building repair/renovation work.
- 19) A statement of the numbers, qualifications and general and special skills of the consultants, subcontractors, and in-house personnel of the Responder who shall be working with the Town.
- 21) A statement evidencing thorough knowledge of the Massachusetts State Building Code, regulations related to the Americans with Disabilities Act, and all other pertinent codes and regulations related to successful completion of the Project.

22) A fully executed Designer Selection Board Application Form (Attachment I).

## **V. SELECTION CRITERIA**

### **1. Minimum Evaluation Criteria**

In order to be considered, a Response shall comply with the requirements set forth in Section IV above.

### **2. Comparative Evaluation Criteria**

All responsive Responses will be judged against the **Comparative Evaluation Criteria** detailed below. The Town will rank each Response as:

- a. Highly Advantageous – the Response exceeds the standards of the specific criterion;
- b. Advantageous – the Response fully satisfies the standards of the specific criterion;
- c. Not Advantageous – the Response does not fully satisfy the standards of the specific criterion, or is incomplete and/or unclear.

#### **2.1. Quality and Depth of Work Experience**

**Highly Advantageous** – The Response demonstrates a wide depth of experience with five (5) or more similar projects.

**Advantageous** – The work Response does not meet the above category for highly advantageous, but demonstrates a wide depth of experience with three (3) to five (5) similar projects.

**Not Advantageous** – The Responder has limited experience in providing services related to the Town's requirements or with less than three (3) similar projects.

#### **2.2. Qualifications of the Responder**

**Highly Advantageous** – The Responder's resumé(s) demonstrate(s) that Responder has superior training, educational background and work experience appropriate to the work described herein and all key work personnel demonstrate (s) professional experience well beyond the minimum requirements.

**Advantageous** – The Responder's resumé(s) do/does not meet the above category for highly advantageous, but demonstrate(s) that Responder has adequate training, educational background and work experience appropriate to the work described herein and all key work personnel demonstrate(s) professional experience that meets or exceeds the minimum requirements.

**Not Advantageous** – The Responder’s resumé(s) do/does not demonstrate that Responder has adequate training, educational background and work experience appropriate to the work described herein.

### **2.3. Desirability of approach to the work, demonstrated understanding of the community’s needs, and Responder’s ability to undertake and complete this work.**

**Highly Advantageous** – The Response demonstrates a superior approach to the subject material and a superior understanding of the issues addressed by the work.

**Advantageous** – The Response does not meet the above category for highly advantageous, but demonstrates a good approach to the subject material and a good understanding of the issues addressed by the work.

**Not Advantageous** – The Response does not demonstrate a good approach to the subject material and a good understanding of the issues addressed by the work, and/or the Response fails to indicate a time schedule that meets the work requirements.

### **2.4. Overall Quality of Client References**

**Highly Advantageous** – All references contacted spoke favorably of the work performed by the Responder and would use them again for similar work without hesitation.

**Not Advantageous** – One (1) or more reference stated that there had been difficulty with the Responder’s ability to deliver the contracted services and deliverables.

### **2.5. Completeness and Quality of Response**

**Highly Advantageous** – The Response is complete, concise, informative, and highly detailed. Response reflects that Responder is able to perform in a superior manner acceptable to the Town. Response demonstrates excellent communication and documentation skills.

**Advantageous** – The Response does not meet the above criteria for highly advantageous, but the Response is complete, informative, and meets criteria for responsiveness. The Response demonstrates a good level of communication and documentation skills.

**Not Advantageous** – The Response lacks a comprehensive approach, but meets criteria for responsiveness. Communication and documentation skills are not demonstrated. The Response does not clearly indicate that the Responder is able to perform in a manner that is acceptable to the Town.

## **VI. RESPONSE SUBMISSION**

Eleven (11) copies of the Response, together with one (1) copy in electronic format, and contained in sealed envelopes marked, “RFQ: Designer Services Related to Adaptive Reuse of the Existing Former Church to the New Taft Public Library, 29 North Avenue, Mendon, MA 01756,” will be accepted at the Office of the Mendon Board of Selectmen, Mendon Town Hall, 20 Main Street, Mendon,

MA 01756, until 2:00 P.M. local time on Thursday, October 24, 2013. (If on October 24th the Mendon Town Hall is closed due to uncontrolled events such as fire, snow, ice, wind, or building evacuation, the deadline will be extended to 2:00 p.m. on the next business day.)

Each Responder's name, address and contact phone number shall be clearly visible from the outside of each sealed envelope. The clock in the Office of the Mendon Board of Selectmen in the Mendon Town Hall shall be considered official. No late Responses shall be accepted. No faxed Responses shall be accepted. Conditional Responses will not be accepted.

Each Response shall be submitted in accordance with the Submission Requirements in order to be considered for award. Any Response submitted shall be binding for sixty (60) days subsequent to the time of the opening of Responses.

## **VII. INTERVIEWS**

Once all Responses have been verified that they are responsive and responsible, the Review Committee will rank all responses that meet the minimum requirements and will record the ranking on a scoring sheet.

In order to establish a short list of Responders to be interviewed, the Town will base its initial ranking of Responders on the above Evaluation Criteria. The Town will establish its final ranking of the short-listed Responders after conducting interviews and reference checks.

Identified reviewers will rank the responses based on the comparative evaluation criteria identified in this RFQ and short-list a minimum of three (3) Responses. The Responses will be reviewed based on the preceding criteria by the Review Committee. After the review of all submitted qualification statements, the Review Committee will select finalists and interviews with the Review Committee will be scheduled. These interviews will result in a finalist and alternates.

The following process will be followed by the Town:

1. The first-ranked selection will be submitted to the Mendon Board of Selectmen for its approval.
2. The first-ranked selection may be asked to participate in a presentation to the Board of Selectmen and/or submit additional documentation, as required by Board of Selectmen, as part of the approval process at no cost to the Town.
3. Subject to the Board of Selectmen's approval, the Building Committee will commence final contract negotiations with the first-ranked selection. The Successful Responder's fee will be negotiated and will be applied to any Contract awarded. The fee shall not exceed the sum of one hundred twenty five thousand six hundred dollars and no cents (\$125,600.00).
4. If the Town is unable to negotiate a contract with the first-ranked selection or if the Board of Selectmen does not approve the first-ranked selection, the Town will then submit its second-ranked selection to the Board of Selectmen for its review and upon approval commence negotiations and so on, until a contract is successfully negotiated and approved by the Town.

The Town reserves the right to consider any other relevant criteria and speak with references other than those provided by Responders as the Town, in its sole discretion, may deem appropriate, provided that such action is consistent with current law. The Town may, within its sole discretion, seek additional information from Responders.

This RFQ, any addenda issued by the Town, and the selected Responder's Response, will become part of the executed contract. The key personnel that the Responder identifies in its response shall be contractually committed for the Project. No substitution or replacement of key personnel or change in the Sub-consultants identified in the response shall take place without the prior written approval of the Town.

### **VIII. FINAL SELECTION AND AWARD**

The Review Committee will review the Responses. The Review Committee will determine which Responses meet the minimum evaluation criteria set forth in Section IV above. The Review Committee will rank such Responses in accordance with the comparative evaluation criteria set forth in the Section V above. Based upon the Review Committee's analysis of the Responses, the Review Committee will make a recommendation to the Mendon Board of Selectmen concerning which Response, if any, the Town should accept. The Mendon Board of Selectmen will then decide whether a Contract will be awarded. One (1) Contract, if at all, to the most qualified responsive and responsible Responder who complies with the Response Submission Requirements set forth in this RFQ.

### **IX. COMPLIANCE WITH LAWS**

The Successful Responder shall comply with all provisions of Federal, Massachusetts and Town of Mendon law applicable to his work including, without limitation, statutes, by-laws, rules, regulations, orders and directives, as amended, and including, without limitation, the Williams-Steiger Occupational Safety and Health Act, as amended, and related regulations, as amended, in effect throughout the term of this Lease and any extension or renewal thereof. Without limitation, the Successful Responder shall comply, to the extent applicable, with the provisions of Chapter 149, Section 26 to 27D of the Massachusetts General Laws (M.G.L.), as amended. Any Contract shall be considered to include in their entirety all terms respecting workers' compensation insurance and other terms required to be included in it by Chapter 152 of the Massachusetts General Laws, as amended, and any other laws, as though such terms were set forth in their entirety herein.

### **X. INSURANCE**

The Successful Responder shall keep in force throughout the term of the Contract and any extension or renewal thereof the amount of insurance described in the Contract which is a part of this RFQ and is incorporated herein by reference. Without limitation of other requirements of this RFQ, no Contract shall be entered into by the parties unless the successful Responder complies with all applicable insurance requirements, including, without limitation, the requirement to submit endorsements or riders which include the required language concerning notice of cancellation or amendment of any and all insurance policies required under the Contract, and which include the required language mandating that the Town of Mendon shall be named as an additional insured on the required policies of commercial general liability insurance, automobile liability insurance, and excess liability insurance, umbrella form.

## **XI. INDEMNIFICATION**

The Successful Responder shall assume the indemnification responsibilities described in the Contract which is a part of this RFQ and is incorporated herein by reference.

## **XII. PERFORMANCE BOND REQUIREMENTS**

DELETED – NOT APPLICABLE

## **XIII. LABOR AND MATERIALS PAYMENT BOND REQUIREMENTS**

DELETED – NOT APPLICABLE

## **XIV. CRIMINAL BACKGROUND SCREENING**

For each employee of the Successful Responder who is performing services under any Contract with the Town of Mendon, the Successful Responder shall, subject to its confidentiality and privacy obligations owing to its employees and third parties, provide a written confirmation to the Town that such employee passed the Successful Responder's pre-employment criminal background screen. In the event that any employee refuses to permit the Successful Responder to provide such information to the Town, the Successful Responder shall not assign such employee to perform services for the Town, and such employee shall not be authorized to perform services for the Town. The Town shall be permitted to keep such information in its files.

## **XV. USE OF ALCOHOL AND CONTROLLED SUBSTANCES PROHIBITED**

The use of alcoholic beverages, narcotics, and mood altering substances, except for current valid, legal prescriptions, by any officer, employee, agent, or representative of the Successful Responder is prohibited on Town of Mendon property which is the subject matter of this RFQ and during all hours of work under any contract with the Town. If any officer, employee, agent, or representative of the Successful Responder violates the foregoing provision, the Town of Mendon shall have the right to order that such officer, employee, agent, or representative of the Successful Responder shall not be permitted to return to work under any contract with the Town. Under such circumstances, the Successful Responder shall promptly remove the subject officer, employee, agent, or representative from the job site and shall not permit the subject officer, employee, agent, or representative to perform further work in conjunction with any contract with the Town.

## **XVI. NO SMOKING/USE OF TOBACCO PRODUCTS**

Pursuant to M.G.L. c. 270, §22, the Commonwealth of Massachusetts Smokefree Workplace Law, the Successful Responder, its officers, employees, agents, and representatives shall refrain from smoking and from using tobacco products in any public building.

## **XVII. MBE/WBE GOALS**

Pursuant to the Construction Reform Law, Chapter 193 of the Acts of 2004, and the revisions it made to M.G.L. c. 23A, §44 and M.G.L. c. 7, §40N, include a new municipal affirmative marketing program. Municipalities (hereinafter Awarding Authorities) must now incorporate Minority Business Enterprise (MBE) and Women Business Enterprise (WBE) goals into both their design and construction procurement for municipal contracts for the construction, reconstruction, alteration, remodeling, repair or demolition of any public building by any city or town that includes funding provided by the Commonwealth, in whole or in part (such as funding under the Massachusetts School Building Authority (MSBA) , funding in any legislative appropriation, grant awards, reimbursements, municipal commitments to use state funds and the like). To count towards participation the business must be a Supplier Diversity Office (SDO) certified WBE or MBE. Certification as a disadvantaged business enterprise (DBE), certification as an MBE/WBE by any agency other than SDO, or submission of an application to SDO for certification as an MBE/WBE shall not confer MBE or WBE status on a firm for purposes of participation credit. You can access the new law on The General Court of Massachusetts website: <http://www.mass.gov/legis/laws/mgl/7-40n.htm> and <http://www.mass.gov/legis/laws/mgl/23a-44.htm>

### **Affirmative Marketing Participation Goals**

Each Municipality must enforce the current Affirmative Marketing Goals developed by the Division of Capital Asset Management (DCAM) in consultation with SDO as follows:

Design Participation: Combined MBE/WBE goal of (17.9%)

Construction Participation: Combined MBE/WBE goal of (10.4%)

The combined goals require a reasonable representation of both MBE and WBE firm participation.

## **XVIII. INDEX OF ATTACHMENTS**

Attachment A – Response Form

Attachment B – Certificate of Non-Collusion

Attachment C – Certificate of Tax Compliance (M.G.L., c.62C, §49A)

Attachment D – Conflict of Interest Certification (M.G.L. c.268A).

Attachment E – Certificate of Corporate Responder

Attachment F – Certificate of Compliance with M.G.L. c. 151B

Attachment G – Certificate of Non-Debarment

Attachment H – Contract

Attachment I – Designer Selection Board Application Form

**TOWN OF MENDON**

**ATTACHMENT A  
RESPONSE FORM**

The undersigned hereby submits a sealed Response for the provision of Designer Services Related to Adaptive Reuse of the Existing Former Church to the New Taft Public Library, 29 North Avenue, Mendon, MA 01756.

Printed Name of Responder: \_\_\_\_\_

The Responder hereby pledges to deliver the complete scope of goods required, for the price shown below: The Successful Responder's fee will be negotiated and will be applied to any Contract awarded. The fee shall not exceed the sum of one hundred twenty five thousand six hundred dollars and no cents (\$125,600.00).

Responder certifies as follows:

- A. Responder is an established business with a minimum of five (5) years of experience in providing designer services related to public projects in the Commonwealth of Massachusetts.
- B. Responder holds all applicable State and Federal permits, licenses and approvals.
- C. Responder provides supervision of all workers performing under all Contracts held and pledges to provide such supervision under any Contract.
- D. Responder holds all applicable documentation and Insurance in accordance with this RFQ.
- E. Responder has not defaulted on any Contract within the last five (5) years.
- F. Responder maintains a permanent place of business.
- G. Responder has adequate personnel and equipment to perform the work expeditiously.
- H. Responder has suitable financial status to meet obligations incident to the work.
- I. Responder is registered with the Secretary of the Commonwealth of Massachusetts to do business in Massachusetts. (Responder shall attach to the Response Form a copy of a Letter of Good Standing from the Secretary of the Commonwealth's Office.)
- J. Responder has not failed to perform satisfactorily on Contracts of a similar nature.

The undersigned agrees that all specifications and Contract documents are hereto made part of any Contract executed with the Town and are binding on the Successful Responder.

**See next page.**

\_\_\_\_\_  
**Authorized Signature**

\_\_\_\_\_  
**Printed Name**

\_\_\_\_\_  
**Printed Title**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Full Legal Name**

**Officers of Corporation and Addresses**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
**State of Incorporation**

\_\_\_\_\_  
**Principal Place of Business**

\_\_\_\_\_  
\_\_\_\_\_

Tel. \_\_\_\_\_

**Qualified in Massachusetts**    Yes \_\_\_\_\_ No \_\_\_\_\_

**Principal Place of Business in MA** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Tel. \_\_\_\_\_

**TOWN OF MENDON**

**ATTACHMENT B  
CERTIFICATE OF NON-COLLUSION**

The undersigned certifies, under penalties of perjury, that this Response 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.

\_\_\_\_\_  
Name of Responder

\_\_\_\_\_  
Address of Responder

\_\_\_\_\_  
\_\_\_\_\_

Telephone Number\_\_\_\_\_

By: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Title

\_\_\_\_\_  
Date

**TOWN OF MENDON**

**ATTACHMENT C  
CERTIFICATE OF TAX COMPLIANCE**

Pursuant to Massachusetts General Laws (M.G.L.) c. 62C, §49A, I certify under the penalties of perjury that the Responder named below has complied with all laws of the Commonwealth of Massachusetts pertaining to the payment of taxes, to the reporting of employees and contractors, and to the withholding and remitting of child support.

\_\_\_\_\_  
Name of Responder

\_\_\_\_\_  
Address of Responder

\_\_\_\_\_  
\_\_\_\_\_

Telephone Number \_\_\_\_\_

By: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Title

\_\_\_\_\_  
Date

**TOWN OF MENDON**

**ATTACHMENT D  
CONFLICT OF INTEREST CERTIFICATION**

The Responder hereby certifies that:

1. The Responder has not given, offered, or agreed to give any gift, contribution, or offer of employment as an inducement for, or in connection with, the award of a Contract pursuant to this RFQ.
2. No consultant to, or subcontractor for, the Responder has given, offered, or agreed to give any gift, contribution, or offer of employment to the Responder, 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 Responder.
3. No person, corporation, or other entity, other than a bona fide full time employee of the Responder has been retained or hired to solicit for or in any way assist the Responder in obtaining a Contract pursuant to this RFQ upon an agreement or understanding that such person, corporation or entity be paid a fee or other compensation contingent upon the award of a Contract to the Responder.
4. Responder understands that the Massachusetts Conflict of Interest Law, Chapter 268A of the Massachusetts General Laws (M.G.L.), applies to the Responder and its officers, employees, agents, subcontractors, and affiliated entities with respect to the transaction outlined in the Request for Qualifications.
5. Responder understands that the Responder and its officers, employees, agents, subcontractors, and affiliated entities, shall not participate in any activity which constitutes a violation of the Massachusetts Conflict of Interest Law or which creates an appearance of a violation of the Massachusetts Conflict of Interest Law.

\_\_\_\_\_  
Name of Responder

\_\_\_\_\_  
Address of Responder

\_\_\_\_\_  
\_\_\_\_\_

Telephone Number \_\_\_\_\_

By: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Title

\_\_\_\_\_  
Date

**TOWN OF MENDON**

**ATTACHMENT E  
CERTIFICATE OF CORPORATE RESPONDER**

I, \_\_\_\_\_, certify that I am the \_\_\_\_\_ of the Corporation named as Responder in the attached Response; that \_\_\_\_\_, who signed said Response on behalf of the Responder was then \_\_\_\_\_ of said Corporation; that I know his/her signature hereto is genuine and that said Response was duly signed, sealed and executed for and on behalf of its governing body.

(Corporate Seal)

Name of Responder

\_\_\_\_\_

Address of Responder

\_\_\_\_\_

\_\_\_\_\_

Telephone Number \_\_\_\_\_

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

(Signature)

\_\_\_\_\_

Printed Name

\_\_\_\_\_

Printed Title

\_\_\_\_\_

Date

This Certificate shall be completed where Responder is a Corporation and shall be so completed by its Clerk. In the event that the Clerk is the person signing the Response on behalf of the Corporation, this certificate shall be completed by another officer of the Corporation.

**TOWN OF MENDON**

**ATTACHMENT F  
CERTIFICATE OF COMPLIANCE WITH M.G.L. c. 151B**

The Responder hereby certifies that it is in compliance with and shall remain in compliance with Massachusetts General Laws (M.G.L.) Chapter 151B and shall not discriminate on any prohibited basis outlined therein. The Responder also hereby certifies that it shall comply with any and all applicable State Office of Minority and Women Business Enterprise Assistance (SOMWBA) thresholds that have been established in conjunction with this Request for Qualifications.

Name of Responder

---

Address of Responder

---

---

Telephone Number\_\_\_\_\_

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

(Signature)

---

Printed Name

---

Printed Title

---

Date

**TOWN OF MENDON**

**ATTACHMENT G  
CERTIFICATE OF NON-DEBARMENT**

The Responder hereby certifies that it is presently not debarred, suspended, or otherwise prohibited from practice by any federal, state, or local agency, and that, should any proceeding arise in which it is debarred, suspended, or otherwise prohibited from practice by any federal, state, or local agency, the Responder shall inform the Town of Mendon within one (1) business day of such debarment, suspension, or prohibition from practice.

\_\_\_\_\_  
Name of Responder

\_\_\_\_\_  
Address of Responder

\_\_\_\_\_  
\_\_\_\_\_  
Telephone Number\_\_\_\_\_

By: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Title

\_\_\_\_\_  
Date

**TOWN OF MENDON**

**ATTACHMENT H  
CONTRACT**

The Contract shall refer to AIA Document B101 - 2007 together with the attached addendum.

**(SEE ATTACHED DOCUMENT.)**



Taft Library  
Addendum 091913.pdf

**TOWN OF MENDON**

**ATTACHMENT I  
DESIGNER SELECTION BOARD APPLICATION FORM**

**(SEE ATTACHED DOCUMENT.)**



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