RFQ 18-28

Hamilton Canal Innovation District
Master Developer Solicitation
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Project Name: Hamilton Canal Innovation District Master Developer  
RFQ No.: 18-28  
Date: August 30, 2017  
Buyer: P. Michael Vaughn  
Tel. No.: 978-970-4110  
Fax No.: 978-970-4114  
Email: pmvaughn@lowellma.gov

**PROPOSAL DUE DATE**  
Sealed proposals are due but will not be publicly opened on: **October 26, 2017** at City Hall in the Purchasing Department, Room 60, 375 Merrimack Street, Lowell, MA 01852, at **Noon**, EST/EDST, for the work described herein. BIDDERS ARE REQUIRED TO SUBMIT A BID INCLUDING ALL BID FORMS CONTAINED IN THIS PACKAGE. DO NOT REMOVE PAGES

**CLARIFICATIONS OF SPECIFICATIONS**  
Any request for clarification to, or relief from, the specifications, must be submitted in writing to the attention of the assigned Buyer at the Purchasing Department’s office no later than **seven (7) business days prior to the Due Date**.

Should the City make changes to any specification, stipulation, requirement, or procedure, notification will be made to all Bidders in the form of written Addenda. No officer, agent, or employee of the City is authorized to amend any provision contained in this IFB, including the specifications, unless such amendment is issued as an Addendum and sent to all Bidders in accordance with this Section (Clarification of Specifications). Bidder is required to acknowledge all addenda.

**SCHEDULE**

<table>
<thead>
<tr>
<th>Event</th>
<th>Date/Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advertise Solicitation</td>
<td>August 30, 2017</td>
</tr>
<tr>
<td>Solicitation Available</td>
<td>August 30, 2017 at 9 AM EST</td>
</tr>
<tr>
<td>Questions due</td>
<td>October 6, 2017</td>
</tr>
<tr>
<td><strong>Proposals Due</strong></td>
<td>October 26, 2017 Noon EST</td>
</tr>
<tr>
<td>Interviews &amp; Recommendation</td>
<td>November 7 – 8, 2017</td>
</tr>
</tbody>
</table>
1. Hamilton Canal Innovation District

1.1 Development Vision
The Hamilton Canal Innovation District (HCID) will transform the primary gateway into the City by doubling the size of downtown with a new, urban site that will connect the transportation hub at the Gallagher Terminal and Lowell Connector with the core downtown, the Arts District, and the major event venues. This new development will further strengthen the residential and commercial markets, expand the City’s employment base, and broaden the population base of creative professionals in the City. Finally, led by a talented and well-connected design and development team, the HCID will incorporate signature architecture and urban design to complement Lowell’s historic built environment.

The HCID is among the best opportunities in the Commonwealth to achieve a transit-oriented, waterfront development in the heart of a vibrant and vital city. The HCID can serve as a model for the smart-growth development strategies that are being advocated by national leaders, state officials, and the City’s own Comprehensive Plan “Sustainable Lowell 2025.” The carefully planned district master plan aligns with Governor Baker’s ongoing goal of the creation of innovation and entrepreneurship clusters, which is already underway with the University of Massachusetts Lowell’s (UMass Lowell) investment in 110 Canal (more on completed projects in Section 2.5.1).

The HCID is a rare opportunity to have a significant and lasting impact on the development and evolution of Lowell on a scale paralleled only by the City’s founding, and the creation of the Lowell National Historical Park. The impact of the successful redevelopment of the HCID will be felt throughout the downtown, the JAM Area, and City-wide as new development changes the face of living, shopping, and working in Downtown Lowell and throughout the region due to Lowell’s regional economic significance.

1.2 Project Objectives
The successful development of the HCID will continue the success of the Appleton Mills and 110 Canal to solidify Lowell’s tax base, strengthen and diversify its downtown market, and create more employment opportunities. To succeed, the City understands that the project must also meet market demands for developers. Therefore, the Hamilton Canal project will:

- Develop an exciting new extension of Downtown Lowell to support new local residents and employees.
- Provide a viable, safe and comfortable pedestrian experience that links the Gallagher Terminal to Downtown Lowell in combination with the $15 million state-funded improvements to the Lord Overpass.
- Develop a new signature site that draws from the successful loft rehabilitation downtown with contextually appropriate design.
- Successfully develop an urban experience with access to Downtown Lowell, rail access to Boston or highway access to the Route 3 and Interstate 495 corridors.
- Create a new place that respects the urban character of the City with buildings that meet the sidewalks and active first-floor uses.
- Acknowledge and reflect the historic canals as a significant amenity on the site.
- Continue progress to make the area more attractive by creating an active street presence.
- Support significant pedestrian amenities including public investments in streets, sidewalks, street trees and lighting.
- Develop sites around the canal walk that will make the walkways more inviting and interesting, while also creating origins and destinations along the walkways.
- Provide a significant net increase to tax revenues from these parcels.
- Incorporate planning for energy efficiency and sustainability in the redevelopment of the site, including, where feasible, the use of renewable energy sources and innovative stormwater remediation techniques.

1.3 Development Model
The City chose a new approach for the HCID. City staff worked with the original Master Developer to solicit feedback from the community and match stakeholder concepts with realistic, achievable development plans. With significant regional support for the final plan—among both stakeholders and the development community—the City moved...
forward to pre-permit the vision of the HCID Master Plan. Today, the available development parcels are fully entitled and require no discretionary permits. The City seeks a Master Developer to partner in the build-out of the remaining sites in conformity with the Master Plan vision.

### 1.3.1 Master Plan Establishment

The creation of the HCID began with our award-winning, year-long visioning process. Working groups reviewed the land assembled by the City, the context of the neighborhood and Downtown Lowell, and provided recommendations for stakeholder review. The original Master Developer used the community’s vision to create a realistic build-out plan that could be accomplished in the Massachusetts market. Community meetings debated and refined the development vision until consensus was reached on the HCID Master Plan (See Exhibit A). The HCID Master Plan was used to pre-permit the entire development district. As such, the City seeks a new Master Developer to carry out that vision, which includes the following development parcels (legal addresses found in Section 2.1):

<table>
<thead>
<tr>
<th>HCID Development Parcels</th>
<th>Pre-Permitted Build-Out</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Six story commercial building (up to 89,500 GSF of commercial space) with ground-floor retail.</td>
</tr>
<tr>
<td>2, 3A &amp; 4</td>
<td>Two buildings, including one high-rise (15 stories), with ground-floor and canal-side retail.</td>
</tr>
<tr>
<td>5</td>
<td>Commercial building between 55 feet and 70 feet tall (although the original HCID Master Plan lists a potential theater site, the other concepts put forward in the HCID Master Plan shall govern the development of this site).</td>
</tr>
<tr>
<td>8 &amp; 9</td>
<td>Two buildings between 55 feet and 70 feet tall that interact with the historic mill wall on the sites.</td>
</tr>
<tr>
<td>11</td>
<td>A building that takes advantage of the panoramic canal views. Flexible use requirements allow for a commercial building with up to 80,650 GSF of commercial space, including canal-side retail.</td>
</tr>
<tr>
<td>15 &amp; 16</td>
<td>The HCID’s signature commercial sites, with up to 232,000 GSF of commercial space and the opportunity for ground-floor retail and canal-side retail.</td>
</tr>
<tr>
<td>17 &amp; 17A</td>
<td>A signature commercial building overlooking the canal confluence.</td>
</tr>
</tbody>
</table>

There are actually seventeen (17) total parcels in the HCID Master Plan. Parcels not listed in the development sites above are not available for disposition and include the following:

<table>
<thead>
<tr>
<th>HCID Development Parcels</th>
<th>Pre-Permitted Build-Out</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Public Park completed in 2015.</td>
</tr>
<tr>
<td>6 &amp; 7</td>
<td>Appleton Mills adaptive reuse housing project completed in 2011 and privately owned.</td>
</tr>
<tr>
<td>10</td>
<td>110 Canal adaptive reuse commercial site and home to UML’s Innovation Hub. Privately owned.</td>
</tr>
<tr>
<td>12 &amp; 13</td>
<td>Open plazas with small park components necessary for site utilities.</td>
</tr>
<tr>
<td>14</td>
<td>New municipal garage currently in design to be completed in or before 2020 (see Section 2.5.3).</td>
</tr>
</tbody>
</table>

### 1.3.2 Form-Based Code (Zoning and Subdivision)

The City approved a new form-based code for the HCID that creates new zoning and subdivision requirements for each parcel and new right-of-way that match the HCID Master Plan and are in compliance with Massachusetts General Laws Chapter 40A (See Exhibit B). The development site requirements focus on the shape, lay-out and street presence of new buildings. All construction in furtherance of the HCID Master Plan is as-of-right. State regulations require that new
construction receive proscriptive permits through the Lowell Conservation Commission and Lowell Historic Board. In addition to removing discretionary Special Permit requirements and Site Plan Approval requirements, the specificity of the form-based code allowed the City to undertake significant additional pre-permitting work.

1.3.3 Other Pre-Permitting Completed
The HCID Master Plan and form-based zoning code provide certainty to the City, stakeholders and the new Master Developer of the district build-out. The HCID Master Plan specificity allowed the City to secure the following additional approvals for development sites (infrastructure received additional permitting approvals):

1. Approval for the entire build-out, including the new parking garage, under the Massachusetts Environmental Policy Act.
2. A Memorandum of Understanding that will be updated with the new Master Developer, to ensure all public historic reviews, including review authority of the State Historical Preservation Officer (SHPO) and Lowell National Historical Park (LNHP), are delegated to a single review process with the Lowell Historic Board.
3. Designation as a Massachusetts Local Expedited Permitting area (known as the 43D program).
4. Complete initial environmental investigations (see Section 2.6 for additional details).

1.4 Required Development Timeline
The City seeks an energetic partner for the HCID who is willing and able to move forward on new construction. We understand that market factors for residential units, and tenancy commitments for commercial space, dictate the financing and constructability of a project. That said the City requires a plan to meet the following timeline requirements:

1. The ability to begin permitting on new, ground-up construction within six (6) months of signing a Land Disposition Agreement (LDA) with the City. Beginning permitting shall mean the submission of required permits including, but not limited to, with the Lowell Conservation Commission or at least one administrative-level meeting with the Lowell Historic Board’s Design Review Committee.
2. Commencement of construction within twelve (12) months of LDA signing or a showing of significant, continuous project design progress since LDA execution.
3. A timeline for the build-out of six (6) pad-ready development parcels. Significant preference will be given to the firm with the most aggressive plan for the pad-ready sites.

1.5 Development Responsibilities
The City commits to undertake the design, planning, financing and construction of the infrastructure identified in Section 2.5.3 Infrastructure and Utilities: Planned Improvements. Specifically, the City is moving forward with the design and construction of a proposed 900+ space garage with anticipated completion by summer 2020.

The Master Developer will be responsible for the timely build-out of the development parcels and all incidental infrastructure not identified in the preceding paragraph. This requirement includes conformity with the permitting and construction requirements of Section 1.4 as well as a proposed build-out plan for all development parcels with a timetable.
2. Hamilton Canal Innovation District Description

2.1 Legal Description

The HCID includes the following parcels in Lowell, Massachusetts owned by the City of Lowell (HCID parcel designations follow below legal addresses):

<table>
<thead>
<tr>
<th>Parcel 8</th>
<th>Parcel 1</th>
<th>Parcel 15</th>
</tr>
</thead>
<tbody>
<tr>
<td>193.1 Jackson Street</td>
<td>256.5 Market Street</td>
<td>330 Jackson Street</td>
</tr>
<tr>
<td>(Part of Parcel 13, 14 and 15 and future right-of-way)</td>
<td>(Part of Parcel 16)</td>
<td>(Parcel 3A, right-of-way)</td>
</tr>
<tr>
<td>221.4 Jackson Street</td>
<td>256.6 Market Street</td>
<td>341.1 Jackson Street</td>
</tr>
<tr>
<td>(Portions of Parcels 11, 12, 13, 14, 16 17 &amp; 17A)</td>
<td>(Part of Parcel 16)</td>
<td>(Parcel 2)</td>
</tr>
<tr>
<td>221.5 Jackson Street</td>
<td>256.7 Market Street</td>
<td>341.2 Jackson Street</td>
</tr>
<tr>
<td>(Part of future right-of-way)</td>
<td>(Part of future right-of-way)</td>
<td>(Parcel 4)</td>
</tr>
<tr>
<td>239.1 Jackson Street</td>
<td>291 Jackson Street</td>
<td>341.3 Jackson Street</td>
</tr>
<tr>
<td>(Parcel 9)</td>
<td>(Parcel 5)</td>
<td>(Parcel 106-04*)</td>
</tr>
</tbody>
</table>

The Lowell National Historical Park (LNHP) owns several parcels or significant interests in parcels currently used for parking associated with its Visitor Center on Market Street. The City is entering final negotiations to secure ownership of all NPS interests in exchange for parking interests in a future HCID garage (more detail on the garage contained in Section 2.5.3). LNHP currently owns or maintains an interest in the following parcels:

<table>
<thead>
<tr>
<th>Parcel 1</th>
<th>Parcel 2</th>
<th>Parcel 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>256.1 Market Street</td>
<td>256.2 Market Street</td>
<td>256.3 Market Street</td>
</tr>
<tr>
<td>(Fee simple ownership)</td>
<td>(Fee simple ownership)</td>
<td>(Fee simple ownership)</td>
</tr>
<tr>
<td>256.4 Market Street</td>
<td>256.5 Market Street</td>
<td>256.6 Market Street</td>
</tr>
<tr>
<td>(Easement rights)</td>
<td>(Easement rights)</td>
<td>(Fee simple ownership)</td>
</tr>
<tr>
<td>256.8 Market Street</td>
<td>Park Tract 106-04*</td>
<td>(Fee simple ownership)</td>
</tr>
</tbody>
</table>

*This parcel is identified consistent with the City’s negotiations with LNHP as the street address is unavailable.

No other parcels within the boundaries of the district, other than those specifically defined above as City-owned and LNHP-owned, are available for disposition.

2.2 Existing Conditions

The 15-acre HCID site is centered on the confluence of four canals (Hamilton, Western, Merrimack and Pawtucket Canals). These canals serve as key features of the development, providing the opportunity for waterfront pedestrian paths and spectacular view corridors. The confluence of the Pawtucket and Merrimack Canals is marked by the Swamp Locks, one of two historic lock chambers in the City, which are used by Lowell National Historical Park boat tours.

The canals themselves are privately owned, dating to the Industrial Revolution, but recreational rights and the canalside land in the district are generally public resources owned by the Commonwealth of Massachusetts. Although the canals are technically classified as wetlands under the Wetlands Protection Act, the Lowell Conservation Commission typically places no restrictions on development projects other than to protect the canals during construction. The City is still assessing recent updates to FEMA’s flood maps in the area and the impact these updates may have on development.

The development area is bounded by Middlesex Street to the south, Dutton Street to the west, the National Park Visitor Center to the north and Canal Street. The site includes lands that are divided into three sections by the Pawtucket and Hamilton Canals. Approximately half of the site is fully serviced by utilities and rights-of-way and are pad ready development parcels (more on utilities in Section 2.5). This area is approximately 6.5 acres and lies between the Lower Pawtucket and Hamilton canals. The other half, 3.8 acres located north of the Pawtucket Canal, needs additional utility and roadway construction and the LNHP land swap to proceed to be ready for construction. The City is
currently seeking funding through the state for this infrastructure. This site is contiguous to the successfully restored Canal Place condominiums and the Market Mills, home to the Lowell National Historical Park Visitor Center.

2.3 Transit

The Gallagher terminal, Lowell’s multi-modal transportation center that links MBTA commuter rail service with the Lowell Regional Transit Authority’s nineteen bus routes, is located less than 750 feet from the Hamilton Canal District. The MBTA commuter rail provides regular service inbound to Boston and outbound from Boston operating hourly on weekdays, on the half-hour at peak hours and every two hours on Saturday and Sunday to North Station by Boston’s TD BankNorth Garden. The total trip time one way is less than 50 minutes.

The Gallagher Terminal also acts as the hub for local bus service provided by the Lowell Regional Transit Authority (LRTA), with nineteen routes providing service throughout Lowell and surrounding suburbs. Inter-city bus service is also available with connections to Boston, New Hampshire, Vermont and Montreal. The site includes 695 structured parking spaces.

2.4 The Downtown Lowell Market

Lowell’s downtown offers a unique blend of urban amenities and suburban convenience. The cultural hub of the Merrimack Valley, Lowell is home to some of the region’s leading venues and historic landmarks. Recently featured in Boston Magazine as one of the Top Spots to live in Massachusetts, the City is recognized for its affordability, arts community and public transportation. From inspiring galleries and eclectic shops to professional sports and international cuisine, Lowell has big city amenities without the big city price tag.

Since the creation of the Downtown Lowell Arts District in 1998, Downtown Lowell has enjoyed a development boom. This has attracted young professionals, empty nesters returning to the City, and others to invest in condominiums in converted mills and other buildings, many of which had sat vacant for years or even decades. The success of the early projects has inspired more developers to take on larger and larger projects. Since 2000, the following improvements have occurred:

i. More than 1,700 new units have been occupied in Downtown Lowell; Nearly 500 more are in progress
ii. Of the 5,175,765 square feet of downtown mills that were vacant in the 1970s, over 95% have been redeveloped;
iii. More than 3 million square feet of downtown buildings have been redeveloped.

Lowell’s location is a huge asset to ongoing redevelopment. The City is well-positioned just 30 miles north of Boston. Two major airports are located less than one hour from the City, Boston Logan International (40 minutes) and Manchester-Boston Regional Airport (30 minutes). The City sits at the junction of Interstate 495 and Route 3, a limited-access highway serving southern New Hampshire to Manchester. Lowell’s population per the 2010 US Census is 106,519, which increased by 1.29% since 2000. The City is also home to 17,500 students who attend UMass Lowell and 13,000 who attend Middlesex Community College. Lowell’s labor force in March 2017, in non-adjusted numbers, is 55,783 and Lowell’s unemployment rate is 4.7%.

Regional and local demographic trends remain strong for downtown urban housing. Significant portions of regional households in Massachusetts are single people living alone and couples without children, either empty-nest couples or young couples who have not yet had children, which are categories that have been and will continue to be among the strongest growth segments of the Eastern Massachusetts housing market. Many of these people are seeking the type of urban environment that can be offered in Downtown Lowell that would not be available in many other locations. The City has also experienced significant recent institutional investment. This includes $120 million invested in Lowell health care facilities over the past four years and $625 million invested in new education facilities since 2007.

The primary attractions to Downtown Lowell are its urban context, arts culture, beautifully preserved architecture, cobblestone streets, and unique system of waterways. These factors set it apart from most other possible locations in the Eastern Massachusetts real estate market. The Hamilton Canal provides an opportunity to expand on this market
by capitalizing on many of the same features, reinforced by convenience to commuter rail and highway transportation and the opportunity to create new construction which can provide greater flexibility for development to meet contemporary needs than restorations of existing buildings while still capturing the architectural character of an historic mill town.

2.5 Hamilton Canal Innovation District Progress To-Date
The Hamilton Canal District planning began in 2007, the HCID Master Plan was completed in 2008 and the build-out began in 2009. Despite the extraordinary development challenges created by the country’s economic downturn, the City and previous developer Trinity Financial successfully started the build out, detailed below. The investments and projects completed to date create a series of pad-ready sites and changing neighborhood market dynamics.

2.5.1 Building Construction
Trinity Financial, as a previous Master Developer, completed rehabilitation of the two existing structures in the district. The Appleton Mills, 130 units of artist-preference affordable housing, was completed in 2009 and is fully occupied. Trinity completed the core and shell rehabilitation of the 110 Canal building, the former Freudenberg Non-wovens headquarters, and is currently completing tenant fit-outs. UMass Lowell moved the Massachusetts Medical Device Development Center (M2D2) to create an Innovation Hub in the top two floors of the building. Trinity retains ownership of both buildings.

2.5.2 Infrastructure and Utilities: Completed – Creation of Pad-Ready Sites
The construction of Canal Street and the Canal Street bridge brought a public right-of-way and all utilities (sewer, water, gas, electrical, telephone, cable, etc.) to the section of land between the Hamilton Canal and the Lower Pawtucket Canal (See Exhibit C for right-of-way as-built plans). The right-of-way construction necessary for the Appleton Mills and 110 Canal building also created six (6) pad-ready development sites. The pad-ready development sites are as follows:

<table>
<thead>
<tr>
<th>Legal Address</th>
<th>HCID Parcel</th>
<th>HCID Master Plan Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>330 Jackson Street</td>
<td>1</td>
<td>Commercial with ground-floor retail or parking garage</td>
</tr>
<tr>
<td>341.1 Jackson Street**</td>
<td>2</td>
<td>Building with ground-floor and canal-side retail</td>
</tr>
<tr>
<td>341.2 Jackson Street**</td>
<td>4</td>
<td>High Rise with ground-floor and canal-side retail</td>
</tr>
<tr>
<td>291 Jackson Street</td>
<td>5</td>
<td>Commercial building 55-feet to 70-feet in height</td>
</tr>
<tr>
<td>193.1 Jackson Street</td>
<td>8</td>
<td>Commercial building 55-feet to 70-feet in height</td>
</tr>
<tr>
<td>239.1 Jackson Street</td>
<td>9</td>
<td>Commercial building 55-feet to 70-feet in height</td>
</tr>
</tbody>
</table>

**HCID Parcel 2 and 4 are covered by a temporary parking lot serving 110 Canal. Parking will need to be relocated to the new HCID municipal garage to initiate development on the sites.

In 2009 the City of Lowell completed construction on the 900+ space Edward J. Early parking garage, a municipally-owned and operated facility with ground-floor retail. Technically, the garage is outside of the HCID boundaries, but it provides the necessary parking for construction on the six pad-ready development sites before the City completes construction on the new HCID garage on Parcel 14.

2.5.3 Infrastructure and Utilities: Planned Improvements
There are three critical and outstanding infrastructure improvements that the City is committed to deliver and will not be considered a responsibility of the Master Developer. The infrastructure improvements are as follows:

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12
1. The City received $15 million in state funding administered by MassDOT for the Lord Overpass project and the funding will complete many improvements to the Thorndike Street/Dutton Street corridor. Most importantly for the HCID, the funding will be used to create a new, four-way signalized intersection between Fletcher Street, Thorndike Street, Dutton Street and Jackson Street. The City is currently initiating design of the full improvements (See Exhibit D for Lord Overpass improvement materials).

2. The City is committed to constructing the necessary utilities in the area between the Lower Pawtucket Canal and the Merrimack Canal. Known as the “HCID North Infrastructure” project, the City has received state infrastructure funding for the public rights-of-way and associated utilities (See Exhibit E for HCID North Infrastructure plans). This project should begin in the fall of 2017 and should be completed in Spring 2019.

3. The City is committed to construct a 900+ space parking garage with ground floor and canal-side retail on Parcel 14. Design work is currently underway with the expectation that construction will be complete on the building in summer 2020.

2.5.4 Judicial Center
The Massachusetts Department of Capital Asset Management and Maintenance (DCAMM) has initiated the construction of a new, consolidated court facility to be constructed in the southeastern corner for the Hamilton Canal District. The seven-story building will house five courts (Superior, District, Probate & Family, Juvenile, and Housing) as well as the Middlesex North Registry of Deeds. Construction is estimated to take 30 months. The City currently anticipates the construction of Judicial Center will be completed by January of 2020.

2.6 Subsurface Conditions
2.6.1 Environmental
The existing environmental investigations in the HCID are summarized in the table on the following pages, with small write-ups of Activity and Use Limitations (AULs), if any. The existing legal parcel descriptions (See Section 2.1) are used to record AULs and are herein repeated with the HCID Parcel designation:

<table>
<thead>
<tr>
<th>Legal Address</th>
<th>HCID Parcel</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>330 Jackson St</td>
<td>Parcel 1</td>
<td>No evaluation/investigation has been performed. Neighboring parcels to the west have a Class A-2 RAO (for both 6 King Street and 323 Middlesex Street). For these properties, construction must follow the same guidelines as detailed for Parcel 5 (see below) with respect to soil management.</td>
</tr>
</tbody>
</table>
| 341.1 Jackson St  | Parcel 2    | All construction activities must be conducted in accordance with the obligations set forth in the AUL. A Soil and Groundwater Management Plan will be required for all construction activities. Restricted Uses and Activities:  
· Single-family Residential  
· Growing Vegetables directly in site soils  
· Construction and excavation activities that do not comply with the obligations set forth in the AUL |
| 341.2 Jackson St  | Parcel 4    | All construction activities must be conducted in accordance with the obligations set forth in the AUL. A Soil and Groundwater Management Plan will be required for all construction activities. Restricted Uses and Activities:  
· Single-family Residential  
· Growing Vegetables directly in site soils |
<table>
<thead>
<tr>
<th>Parcel Number</th>
<th>Address</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>291 Jackson St</td>
<td>Parcel 5</td>
<td>Class A-2 RAO stipulates the following:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>“Lead has been detected at elevated concentrations in the vicinity of the five excavation areas. Excavation activities have reduced the Site-wide EPC to 185.4 mg/kg, which is below the Method 1 S-1/GW-2 and S-1/GW-3 Soil Cleanup Standards. Although the lead EPC has been reduced at the Site due to the RAM activities, some individual samples are above S-1 cleanup standards for lead at the Site. Future construction plans should consider these concentrations so that they don’t pose a health risk to workers or future site occupants. Additionally, soil management procedures may be necessary to avoid violating the anti-degradation provisions of the MCP.”</td>
</tr>
<tr>
<td>193.1 Jackson St</td>
<td>Parcel 8</td>
<td>Anti-Degradation Provisions and Construction activities that occur at sites with a valid A-1, A-2, or B-1 RAO are subject to the Remediation Waste Management and “anti-degradation” provisions of MGL 40.0030 which prohibit the transport and disposal/reuse of contaminated soils at locations with significantly lower concentrations of oil and hazardous material.</td>
</tr>
<tr>
<td>239.1 Jackson St</td>
<td>Parcel 9</td>
<td>Remediation has been completed for PCBs in soil. The site maintains a condition of &quot;No Significant Risk&quot; with an Activity and Use Limitation and Deed Restriction as a result of the cleanup. A Permanent Solution Statement with Conditions was filed with MassDEP in July 2016.</td>
</tr>
</tbody>
</table>
cVOC concentrations in groundwater exceed MCP Method 1 GW-2 cleanup standards on a portion of the property. An in-situ chemical oxidation program was implemented, but failed due to unknown preferential pathways that allowed oxidant to break through the canal wall and enter the Pawtucket Canal. If indoor space is planned for the lower level of any proposed building, it is likely that some mitigation will need to occur (i.e., the installation of a sub slab depressurization system during construction or the use of the bottom level as open air parking). Note that any determinations on appropriate end use will need to be overseen by a Licensed Site Professional.

| 221.4 Jackson St | Parcel 11 | All construction activities must be conducted in accordance with the obligations set forth in the AUL. A Soil and Groundwater Management Plan will be required for all construction activities. |
| Parcel 12 | | |
| Parcel 13 | | |
| Parcel 14 | Restricted Uses and Activities: |
| Parcel 15 | - Single-family Residential |
| Parcel 16 | - Growing Vegetables directly in site soils |
| Parcel 17 | - Construction and excavation activities that do not comply with the obligations set forth in the AUL |

2.7 Appraised Value

The City of Lowell has contracted for disposition appraisals on each parcel for the use defined in the HCID Master Plan and codified in the form-based zoning code. The valuations, which shall be the sales price for all parcels acquired within three years, are as follows on the next page:

<table>
<thead>
<tr>
<th>HCID Parcel Identification</th>
<th>Use</th>
<th>Valuation (as of May 30, 2017)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel 1</td>
<td>Commercial and retail</td>
<td>$370,000</td>
</tr>
<tr>
<td>Parcel 2</td>
<td>Residential and retail</td>
<td>$1,790,000</td>
</tr>
<tr>
<td>Parcel 3A</td>
<td>Private right-of-way</td>
<td>$100</td>
</tr>
<tr>
<td>Parcel 4</td>
<td>Residential and retail</td>
<td>$2,060,000</td>
</tr>
<tr>
<td>Parcel 5</td>
<td>Residential</td>
<td>$1,430,000</td>
</tr>
<tr>
<td>Parcel 8</td>
<td>Residential</td>
<td>$1,510,000</td>
</tr>
<tr>
<td>Parcel 9</td>
<td>Residential</td>
<td>$1,140,000</td>
</tr>
<tr>
<td>Parcel 11</td>
<td>Residential or commercial</td>
<td>$1,420,000</td>
</tr>
<tr>
<td>Parcel 15</td>
<td>Commercial</td>
<td>$750,000*</td>
</tr>
<tr>
<td>Parcel 16</td>
<td>Commercial</td>
<td>$440,000*</td>
</tr>
<tr>
<td>Parcel 17 &amp; 17A</td>
<td>Commercial</td>
<td>$560,000**</td>
</tr>
</tbody>
</table>

* Appraisal as of August 24, 2015  
** Appraisal as of November 24, 2014

Note: Parcels acquired more than three (3) years after the execution of the Land Disposition Agreement (LDA) will require updated appraisals.

2.8 Available Economic Development Incentives
2.8.1 Federal, State and Local Incentives

The City and its state and federal partners have developed a wealth of incentives to assist business development in Lowell. The Department of Planning & Development can assist in identifying the programs that might be applicable to each circumstance, but below is a brief description of these incentives:

**Economic Development Incentive Program (EDIP)** – Established under Chapter 19 of the Acts of 1993, the EDIP is a tax incentive program designed to stimulate job creation, private investment, and economic development in targeted areas within Massachusetts where the need for such development is most critical. The City of Lowell has been an active participant in the EDIP since its inception and has used the program to successfully attract new businesses to Lowell and encourage existing businesses to expand and invest in the City. Participating companies in the EDIP may receive state and/or municipal tax benefits in exchange for significant private investment, job creation and/or retention and generating significant sales outside of the Commonwealth.

**Research and Development (R&D) Tax Credit** – The Commonwealth of Massachusetts offers a tax incentive for research and development investment for both manufacturers and R&D companies. Companies engaged in R&D activities are eligible for a 10% Massachusetts R&D Tax Credit. In addition, a 15% R&D Tax Credit is available for costs related to donations and contributions made to research organizations such as hospitals and universities.

**Research and Development (R&D) Personal Property Tax Exemption:** In addition to the state’s R&D tax credit, the City of Lowell recently adopted another tax exemption program designed to attract Advanced Manufacturing and R&D companies. Under this new program, a company receives 100% tax exemption on its core equipment, defined as the equipment used directly related with R&D activities (i.e. computers, lab equipment, machinery, etc.). Software Development; Biotechnology; Engineering & Technology; and Pharmaceutical and Medical Devices are some examples of industry sectors that will benefit from this tax exemption.

**Federal New Market Tax Credits:** MassDevelopment controls a pool of New Markets Tax Credits. They have identified Lowell as one of their target communities for the use of these credits. More information is available at [www.massdevelopment.com](http://www.massdevelopment.com).

**MassDevelopment:** MassDevelopment also provides financing to complex projects that requires “non-traditional”, “out-of-the-box thinking” financing solutions. With low fixed-rates and longer terms, the loan fund offers real estate acquisition loans and new and used equipment loans. More information is available at [www.massdevelopment.com](http://www.massdevelopment.com).

**Brownfields Remediation:** MassDevelopment also administers the Brownfields Redevelopment Fund, which allows the redevelopment of vacant, abandoned or underutilized commercial properties that are either contaminated or perceived to be environmentally polluted.

**Massachusetts Growth Capital Corporation (MGCC):** Created in 2010 with the establishment of a state’s new economic development bill designed to help businesses create jobs within the Commonwealth. New capital of $35,000,000 was provided to create new financial incentive tools available to developers and businesses such as subordinated loans and lines of credit.

**Workforce Development:** Grants of up to $250,000 are available to upgrade skills of existing and/or new employees in this workforce training program. The program has no income requirements and it is administered by the Career Center of Lowell. Furthermore, the business services staff at the Career Center assist companies of all sizes with their staffing needs by providing on-site recruitment, career fairs and screening their database for suitable candidates. More information is available at [www.cclowell.org](http://www.cclowell.org).

**HUB Zones:** In addition to being designated as a “Gateway City” by the Commonwealth, a large portion of the City, including the HCID, is located within the "Historically Underutilized Business Zones Program" (HUBZones). This program
promotes economic development and creates job opportunities by providing federal contracting preferences to small businesses that obtain HUBZone certification within Lowell’s HUB zone area. Lowell’s businesses have the opportunity to tap into more than $425 billion of purchasing power by the federal government.

2.8.2 Energy Programs

Utility Energy Efficiency Programs: All of the utility companies in Massachusetts offer Energy Efficiency programs for businesses, including new construction as well as rehabilitation. These programs are funded by the system benefit charge that is applied to all utility bills in the state. The programs range from technical services to cash incentives and rebates for energy efficiency equipment and systems. The utilities servicing the Lowell area are National Grid and Keyspan Gas. More information is available at: www.nationalgridus.com

Lowell Community Choice Power Supply Program: The City of Lowell is a municipal aggregator, which allows the City to pool the electrical consumption of all ratepayers in our jurisdiction and competitively procure lower cost electricity supply on behalf of the participants. This often allows the municipality to obtain better pricing than individual ratepayers could due to economies of scale. Lowell’s Community Choice Power Supply Program has secured a locked-in electricity supply rate of 10.8 cents/kWh, a saving of 4.428 ¢ per kWh (29.1% savings) for commercial customers.
3.1 Overview
The City of Lowell is seeking motivated developers to partner with to complete the build-out of the multi-acre Hamilton Canal Innovation District. This request for qualifications shall be in accordance with the following specifications: Responders shall be on notice that the City may select the response it deems to be in the best interest of the City. The City reserves the right to reject any or all responses or parts thereof and to negotiate a contract with any responder or with none of them. This Request for Qualifications (RFQ) is designed to assist the City in determining the most advantageous proposal or group of proposals. This is not an Invitation for Bids or a Request for Proposals. This request is neither subject to, nor pursuant to MGL, c.30B, and should not be construed as a solicitation under chapter 30B.

The selection process for the HCID Master Developer or team will be a two part process. The Initial Submission will be a qualifications-based evaluation to identify a short-list of at least three and not more than five finalists (contingent on total number of submissions). The finalists will be invited to interview with the Selection Committee and will submit proposals for the project as described below. Ultimate selection of a Master Developer or team shall be based on both the qualifications of developers as well as their interview and project proposals.

The City encourages all interested parties to assemble teams with emphasis on commercial development experience to submit qualifications along with statements of understanding of the project and their interest in acting as Master Developer.

3.2 Initial Submission: Request for Qualifications
The following are the terms and conditions of the RFQ Initial Submission.

The prospective Master Developer or team responding to this RFQ shall be led by a firm or individual who is proposing to enter into a Land Disposition Agreement (LDA – a state-required document that serves as a purchase and sale document in urban renewal areas) with the City of Lowell for the project. Responses must also identify key members of any partnership for build-out.

3.2.1 Project Coordinator
Claire Ricker, Chief Design Planner, shall act as the Project Coordinator and point-of-contact for the solicitation process. All inquiries and correspondence shall be directed to Claire Ricker, Chief Design Planner, Dept. of Planning and Development, JFK Civic Center, 50 Arcand Drive, Lowell, MA 01852; phone: (978) 674-4252 ext. 1423; fax: (978) 446-7014; email: cricker@lowellma.gov.

3.2.2 RFQ Availability
Copies of the RFQ are available beginning Wednesday August 30, 2017 at 9 AM Eastern Standard Time (EST) through www.hamiltoncanal.com. The RFQ may also be requested from the Purchasing Department, City Hall, 375 Merrimack Street, Lowell, MA 01852; phone: (978) 674-4110. If the RFQ is not obtained directly from www.hamiltoncanal.com or from the issuing authority it is the developer’s responsibility to obtain addenda and notices, if any, from the Chief Procurement Officer so that any addenda and notices can be distributed to all interested parties.

3.2.3 Questions and Answers
The Purchasing Department will accept questions during the hours of 9:00am to 5:00pm, Monday, Wednesday and Thursday, 9:00am to 8:00pm on Tuesday and from 8:00am to 12:00 pm on Friday. Questions must be submitted to the Purchasing Department in writing via mail, fax, or email no later than Thursday, October 6 at 5:00 PM. Phone calls will not be accepted. All answers and questions will be provided to all parties who have obtained copies of this RFQ at hamiltoncanal.com.

3.2.4 Pre-Proposal Briefing Session
1. None Scheduled
3.2.5 Economy of Preparation
Proposals should be prepared simply, providing a straightforward description of the prospective Master Developer or team's ability to satisfy the requirements of the RFQ. Emphasis should be on completeness and clarity of contents.

3.2.6 Cost Liability
The City of Lowell assumes no responsibility and no liability for costs incurred relevant to the preparation of responses to this RFQ by prospective Master Developer or teams prior to issuance of a contract.

3.2.7 Revisions to the Request for Qualifications
In the event it becomes necessary to revise any part of this RFQ, revisions will be provided to all who received the RFQ and on hamiltoncanal.com. The City shall bear no responsibility or liability due to copies of revisions lost in mailing or not delivered to a prospective Master Developer due to unforeseen circumstances. Prospective Master Developers must acknowledge receipt of all addenda and revisions in their responses to this solicitation.

3.2.8 Response Date
In order to be considered for selection, signed proposals should arrive at the Purchasing Department on or before Tuesday, July 11, 2017 Noon EST. Prospective Master Developers mailing proposals should allow for normal mail delivery time to ensure timely receipt of their proposals. No exceptions to this deadline will be made for weather, poor courier service, transportation problems, or any other reason, unless issued by formal addendum from the issuing authority.

3.2.9 Distribution of Responses
In order to be considered for selection, prospective developers should submit a complete response to the RFQ, which means ONE ORIGINAL AND SIX COPIES of each response must be submitted to the Chief Procurement Officer, P. Michael Vaughn. The prospective Master Developer shall make no other distribution of the responses.

3.2.10 Selection
A Selection Committee will be appointed by the Lowell City Manager to review all proposals and recommend a Master Developer or team. Section 3.3 below outlines the evaluation criteria to be utilized by the Selection Committee for the Hamilton Canal District Master Developer to review qualifications proposals and determine the finalists. Section 3.5 outlines additional criteria for ranking the finalists.

3.2.11 Qualifications Proposal Content
The City requires that each prospective Master Developer follow the guidelines for response format and content so that the evaluation and selection process can occur in an orderly, timely and equitable manner.

The response must contain a detailed description of the Master Developer or team and illustrate their qualifications to carry out the requirements set forth in the RFQ. The information submitted must include, but should not necessarily be limited to, the following items:

a. A statement in concise terms of your understanding of the nature and scope of this redevelopment project as well as the responsibilities of the Master Developer.

b. A timeline for the proposed development of each HCID parcel

c. The proposal should show the assignment of specified personnel with the required skills for each area of responsibility.
d. The proposal must identify the persons who will be responsible for directing the work to be performed as part of the redevelopment project. For each individual with identified responsibilities, the proposal must include a complete resume.

e. Background data on all participating firms and entities, potentially including the disciplines below and others considered appropriate, who will play a role in the project.
   - Architect
   - Civil Engineer
   - Construction Manager/Contractor
   - Cost Estimator
   - Developer
   - Environmental Engineer
   - Equity Partners
   - Landscape Architect
   - Lender(s)
   - Marketing Specialist/Broker
   - Urban Designer/Planner

f. A list of the resources, personnel data, or other assistance which the Master Developer expects and requires from the City/Dept. of Planning and Development in order to complete the redevelopment project during the planned time period.

g. A company background statement for the lead development entity to include:
   1. Name of Legal Entity;
   2. Addresses and telephone numbers of all entity offices;
   3. Structure of entity, i.e., individual, partnership, corporation, LLC;
   4. Size of entity;
   5. Years entity has been in business;
   6. Current financial statement and balance sheet and lender commitments to the project¹;
   7. Current regional projects;
   8. Names of principals in firm;
   9. Educational and experiential background of principals and those who will be working on the project;
   10. Names of those in the firm who will be working on the project and copies of their licenses, registrations or certifications (if applicable);
   11. Qualifications for project-specific technical issues, including construction in waterfront locations (based on the criteria in Section 3.3);
   12. Name of individuals familiar with the Developer’s work on similar projects who can be contacted as references;
   13. Listing of any actions taken by any regulatory agency or litigation involving the entity or its agents or employees with respect to any past development projects;
   14. If proposing a development with a residential component, a Fair Housing compliance and non-discrimination statement/plan. This information is requested to ensure that the Developer complies with all applicable federal, state, and local fair housing and civil rights protections.

h. If the proposal seeks to acquire rights less than for all development parcels, the qualifications statement must make clear the desired site(s) and must make a clear showing that the proposed deviation from the City’s stated desire to work with a Master Developer is in the City’s best interest. The City reserves the right, at the

¹ The Selection Committee will use this information only to confirm that the entity is financially capable of completing the project. This information will be returned to the applicants after the Initial Submission review and not retained.
discretion of the review committee, to accept proposals for less than Master Developer rights that are deemed extremely advantageous to the City.

3.2.12 General Response Appearance
The name of the Master Developer and title of the project must appear on the outside front cover of each binder. Each page of the response must be numbered consecutively from the beginning of the response through all appended material.

The City of Lowell reserves the right to reject any unsolicited modifications or additions received between the submission date and selection of the finalists.
### 3.3 Initial Submission Evaluation Criteria

The following criteria will be used to evaluate qualifications proposals submitted as the Initial Submission and identify the firms who will be invited to submit final proposals.

<table>
<thead>
<tr>
<th>Development Team</th>
<th>Highly Advantageous</th>
<th>Advantageous</th>
<th>Not Advantageous</th>
<th>Unacceptable</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Experience with large-scale (&gt;400,000 square feet) projects</td>
<td>Qualifications proposal includes three or more examples of well-designed and successful comparable projects.</td>
<td>Qualifications proposal includes at least one example of a well-designed and successful comparable project.</td>
<td>Qualifications proposal does not include examples of comparable projects or projects included are not well-designed.</td>
<td>Qualifications proposal does not include any examples of past projects.</td>
</tr>
<tr>
<td>2. Experience with pedestrian-friendly, transit-oriented commercial development projects</td>
<td>Qualifications proposal includes three or more examples of well-designed and successful comparable projects.</td>
<td>Qualifications proposal includes at least one example of a well-designed and successful comparable project.</td>
<td>Qualifications proposal does not include examples of comparable projects or projects included are not well-designed.</td>
<td>Qualifications proposal does not include any examples of past projects.</td>
</tr>
<tr>
<td>3. Experience with redevelopment of urban sites including Brownfields sites</td>
<td>Qualifications proposal includes three or more examples of well-designed and successful comparable projects.</td>
<td>Qualifications proposal includes at least one example of a well-designed and successful comparable project.</td>
<td>Qualifications proposal does not include examples of comparable projects or projects included are not well-designed.</td>
<td>Qualifications proposal does not include any examples of past projects.</td>
</tr>
<tr>
<td>4. Experience with development in waterfront environments and ability to address associated technical issues.</td>
<td>Qualifications proposal includes three or more examples of well-designed and successful comparable projects.</td>
<td>Qualifications proposal includes at least one example of a well-designed and successful comparable project.</td>
<td>Qualifications proposal does not include examples of comparable projects or projects included are not well-designed.</td>
<td>Qualifications proposal does not include any examples of past projects.</td>
</tr>
<tr>
<td>5. Balance of experience with residential and commercial development (as applicable) or demonstration of expertise among different members of a collaborative submission. Preference will be given to submissions with strong commercial development credentials.</td>
<td>Qualifications proposal includes three or more examples of well-designed and successful comparable projects.</td>
<td>Qualifications proposal includes at least one example of a well-designed and successful comparable project.</td>
<td>Qualifications proposal does not include examples of comparable projects or projects included are not well-designed.</td>
<td>Qualifications proposal does not include any examples of past projects.</td>
</tr>
<tr>
<td>6. Financial capacity to complete project</td>
<td>Two years financial statements along with prequalification commitments and letters of reference from lenders and potential equity investors clearly illustrate capacity to complete all phases of the project.</td>
<td>Financial statements along with letters of reference from lenders and potential equity investors illustrate capacity to complete all phases of the project.</td>
<td>Letters of interest from lenders and potential equity investors suggest potential capacity to complete all phases of the project.</td>
<td>Information provided is not sufficient to make a determination.</td>
</tr>
</tbody>
</table>
7. Demonstrate familiarity the I-495 Corridor, Gateway Cities and Boston area real estate markets as well as the local and regional development climate.

<table>
<thead>
<tr>
<th>Type</th>
<th>Narrative provided and resumes of key individuals on the proposed development team document, with specific experience, a clear and thorough understanding of applicable real estate market conditions in Eastern Massachusetts.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Narrative provided documenting clear and thorough understanding of applicable real estate market conditions in Eastern Massachusetts.</td>
</tr>
<tr>
<td></td>
<td>Narrative provided illustrating only a general understanding of regional real estate market conditions.</td>
</tr>
<tr>
<td></td>
<td>Information provided is not sufficient to make a determination.</td>
</tr>
</tbody>
</table>

8. Likelihood to complete the project in a timely manner inclusive of only reasonable conditions and contingencies.

<table>
<thead>
<tr>
<th>Type</th>
<th>Proposal clearly and thoughtfully illustrates the development team’s ability to complete projects of comparable scale efficiently and incorporates a commitment to develop the property according to timeline.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Proposal illustrates the development team’s ability to complete projects of comparable scale efficiently and incorporates a qualified commitment to develop the property according to the timeline requirements.</td>
</tr>
<tr>
<td></td>
<td>Proposal does not clearly illustrate the development team’s ability to complete projects of comparable scale efficiently, does not include a commitment to complete the development according to the timeline requirements.</td>
</tr>
<tr>
<td></td>
<td>Information provided is not sufficient to make a determination and/or includes unreasonable conditions and contingencies.</td>
</tr>
</tbody>
</table>

9. Ability to work cooperatively and constructively with the City of Lowell.

<table>
<thead>
<tr>
<th>Type</th>
<th>Proposal includes at least three strong letters of reference from municipal officials in communities where the development team has previously worked.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Proposal includes at least two strong letters of reference from municipal officials in communities where the development team has previously worked.</td>
</tr>
<tr>
<td></td>
<td>Narrative and other written material assert this ability but without corroboration from municipal partners.</td>
</tr>
<tr>
<td></td>
<td>Information provided is not sufficient to make a determination.</td>
</tr>
</tbody>
</table>
3.4 Final Submission: Solicitation of Proposals

3.4.1 Selection of Finalists
At the end of the preliminary review period each Committee Member will rate each proposal in accordance with the evaluation criteria listed in Section 3.3 above. Guided, but not constrained by, the results of these ratings, the Committee will recommend a minimum of three (3) and a maximum of five (5) finalists for interviewing (contingent upon total number of submissions). The finalists will be asked to submit additional proposal information as described below.

3.4.2 Final Proposals
Final proposals must include the following information:

1. Legal name and address of the proposed Master Developer.
2. Names and contact information for all key members of the proposed development team. Resumes must be provided for any individuals not listed in the qualifications proposal.
3. A build-out and acquisition timeline. The City requires selected finalists to provide a clear development plan that includes all parcels available for disposition. In addition, the City requires selected finalists to make clear a plan for the immediate development of one or several parcels—consistent with the readiness items identified in Section 1.4—which may be development Phase I. This development and acquisition timeline should very clearly explain the following items:
   i. Any proposed Phase I shall include all parcels intended as development sites that will immediately commence permitting and advance to construction. The appraised values of the sites included in Phase I, per Section 2.7, shall constitute the initial acquisition payment to the City and shall be made at the execution of the Land Disposition Agreement (LDA).
   ii. If a development timeline does not propose to move forward imminently, the proposed Phase II shall address the acquisition and development timeline for the sites not acquired and/or developed in Phase I.
   iii. An acquisition and construction schedule for all proposed development parcels (construction schedule should include groundbreaking and occupancy dates). The groupings should be based upon the finalist’s vision for the development and dates should be realistic. Acquisition payments for each phase, based on the appraised values in Section 2.7, shall be made as construction is imminent. Phases that will commence more than three (3) years after LDA execution will require updated appraisals, to be paid for by the developer.
   iv. Finally, it is the City’s intention to select a development partner or partners that will work collaboratively with the City over the course of the full project. The City wishes to ensure a timely build-out of the development. To that end, proposals will receive higher scores under Section 3.5 if the Master Developer proposes a yearly payment to the City, upon the anniversary of the LDA execution, to be held in escrow by the City and applied toward the purchase prices, as established in Section 2.7, for all phases after Phase I. Although not required, this payment would create additional incentives to proceed with development. Other proposals from finalists that will create additional development incentives over time in furtherance of the City’s stated intention will be considered.
4. Proposed terms of the transaction, which include any required or requested conditions from finalists. Each finalist shall clearly state all proposed transaction terms considered necessary for inclusion in a final LDA.
5. A description of the proposed development strategy, including the nature and extent of the Master Developer’s role with external partners and a description of how and by whom the development plans will be implemented. Emphasis on marketing of residential units and tenant mix for commercial sites is expected.
6. A commercial development plan describing how the new uses developed in the HCID will work to preserve and promote the downtown retail mix. Any residential component of a respondent’s development proposal for the project area shall need to provide explanation about the proposed housing development that details any affordability percentage, and include details about the number of planned units, number of bedrooms and expected rental rates. This should also include a marketing plan. The City significantly values the creation of commercial space in the HCID as opposed to residential units.

7. A transportation demand management plan that includes non-vehicular, multi-modal methods of transportation and amenities.

8. An outline of the Master Developer’s commitments to meet municipal needs and provide broader public benefit beyond the building footprints. Potential public contributions will be discussed during the site walk-through (See schedule in Section 3.6).

9. If the proposal seeks to acquire rights less than for all development parcels, the proposal shall provide a comprehensive vision for construction of the parcel(s) and shall explain why the proposal supports and enhances the existing and proposed mix of uses and stakeholders.

10. The qualifications statement must make clear the desired site(s) and must make a clear showing that the proposed deviation from the Master Developer requirement is in the City’s best interest. The City reserves the right, at the discretion of the review committee, to accept proposals for less than Master Developer rights that are deemed extremely advantageous to the City.

11. The City reserves the right to consider finalists’ proposals that deviate from the HCID Master Plan if the Selection Committee determines that the proposal is significantly advantageous to the City. If a finalist proposes changes to the uses identified in the HCID Master Plan then the proposal must clearly respond to the following items:
   i. How does the proposal remain consistent with the overall HCID vision as identified in Section 1.1 & 1.2;
   ii. Demonstrate that the new concept will support the existing and future mix of uses and structures within the HCID; and
   iii. Develop a plan and timeline to address state environmental permits and Lowell Historic Board/LNHP approvals that must be updated.

12. A development pro-formas for a residential and/or a commercial property (depending on the proposal).

13. Conceptual plans for buildings to break ground in Phase I.

14. Fully executed copies of the following documents (attached in the appendix of this solicitation):
   i. Disclosure of beneficial interests in a real property transaction
   ii. Affidavit regarding conviction of arson crimes
   iii. Acknowledgment of the solicitation requirements
   iv. Certificate of non-collusion
   v. Tax compliance certification

### 3.4.3 Interviews

Following submission of proposals, finalists will be invited to interview with the Master Developer Selection Committee as appointed by the Lowell City Manager. Interviews will include a brief presentation by the finalist teams as to their assessment of how the redevelopment project will occur, the terms of the transaction with the City of Lowell, and a broad illustration of their vision for the development itself. This portion of the interview will provide the teams with the opportunity to convey to the Committee members why they would be the most advantageous Master Developer for the City of Lowell to engage for this project. An opportunity will also be provided for questions from both Committee members and the Master Developer team.
### 3.5 Finalist Review Criteria

Following interviews, the Master Developer Selection Committee will rank the finalists according to the following criteria. The Initial Submission review criteria will also be considered in ranking the finalists. The rankings on Initial Submissions may be adjusted based upon the result of the Finalist submittal and interview. The Committee’s recommendation will be forwarded to the Lowell City Manager and the Lowell City Council. The final decision to designate a Master Developer and authority to enter into an LDA rests with the Lowell City Council.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Highly Advantageous</th>
<th>Advantageous</th>
<th>Not Advantageous</th>
<th>Unacceptable</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Implementation strategy</td>
<td>Master Developer will sell entitled development sites within the district to site developers and demonstrates past examples where they have successfully completed projects of similar scope and complexity using this approach. - or – Construction of one or more parcels will be completed by developer.</td>
<td>Master Developer will sell entitled development sites within the district to site developers and demonstrates past examples where they have successfully completed projects of similar scope and complexity using this approach.</td>
<td>Proposal does not adequately or completely describe the proposed implementation strategy.</td>
<td></td>
</tr>
<tr>
<td>2. Build-out timeline (based on execution of Land Disposition Agreement-LDA)</td>
<td>Master Developer will begin permitting on one new, ground-up construction within six (6) months of signing a Land Disposition Agreement (LDA) with the City. Will also fully permit three or more pad-ready sites and begin construction on two or more parcels within two years.</td>
<td>Master Developer will begin permitting on one new, ground-up construction within six (6) months of signing a Land Disposition Agreement (LDA) with the City. Will fully permit and begin construction on one or two parcels within two years.</td>
<td>Master Developer does not give definitive timelines for each phase or provides overly conditional timelines.</td>
<td></td>
</tr>
<tr>
<td>3. Commitments to contribute to meeting other municipal needs.</td>
<td>Proposal provides for the greatest public benefit in terms of meeting municipal needs.</td>
<td>Proposal provides for the second highest public benefit in terms of meeting municipal needs.</td>
<td>Proposal offers less than the second highest public benefit in terms of meeting municipal needs.</td>
<td>Information provided is not sufficient to make a determination.</td>
</tr>
<tr>
<td>4. City resources and commitments required.</td>
<td>Proposal makes no demands of the City of Lowell beyond those agreed to and described in this solicitation.</td>
<td>Proposal makes only reasonable demands of the City for improvements which will have a broad public benefit.</td>
<td>Proposal demands additional resources and improvements from the City which will only serve the development without broader public benefit.</td>
<td>Information provided is not sufficient to make a determination.</td>
</tr>
<tr>
<td>Criteria</td>
<td>Highly Advantageous</td>
<td>Advantageous</td>
<td>Not Advantageous</td>
<td>Unacceptable</td>
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<td>--------------------------------------------------------</td>
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<tr>
<td><strong>5. Proposed transaction terms.</strong></td>
<td>Proposal is for a direct and immediate acquisition with no conditions beyond those agreed to by the City of Lowell in this solicitation.</td>
<td>Proposal is for a direct and immediate acquisition with only reasonable additional conditions.</td>
<td>Proposal includes unreasonable conditions.</td>
<td>Proposal does not adequately describe the proposed transaction terms.</td>
</tr>
<tr>
<td><strong>6. Direct financial benefit to the City of Lowell.</strong></td>
<td>Master Developer will purchase entire development site upon closing and begin permitting development sites.</td>
<td>Master Developer will build out the site in phases, with delivery dates, and purchase parcels of each phase as construction is imminent. Master Developer agrees to pay to the City a yearly amount in escrow to be applied to acquisitions of future phases. **</td>
<td>Master Developer will build out the site in phases, with delivery dates, and purchase parcels of each phase as construction is imminent. ** --OR— Proposal seeks to develop a single phase with one or multiple buildings.</td>
<td>Proposal does not include sufficient information to calculate the direct financial benefit to the City of Lowell.</td>
</tr>
<tr>
<td><strong>7. Job creation commitment.</strong> (Due to the regulatory requirements of the financing sources that the City has utilized to assemble the Hamilton Canal District development opportunity, the City is mandating that the eventual redevelopment of this site result in the creation of at least 175 permanent full time jobs. Master Developers must commit to incorporating this requirement into the planning for the redevelopment program, which shall take into account the permanent full-time jobs created to-date)</td>
<td>Proposed Master Developer commits to the creation of at least 400 permanent full time jobs as part of the development plan.</td>
<td>Proposed Master Developer commits to the creation of 300–399 permanent full time jobs as part of the development plan.</td>
<td>Proposed Master Developer commits to the creation of 175–299 permanent full time jobs as part of the development plan.</td>
<td>Proposed Master Developer does not commit to the creation of at least 175 permanent full time jobs as part of the development plan.</td>
</tr>
</tbody>
</table>

**Net present value of proposals with payment flows over time will be used to determine maximum benefit to City.**

### 3.6 Schedule

<table>
<thead>
<tr>
<th>Event</th>
<th>Date/Time</th>
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</thead>
<tbody>
<tr>
<td>Advertise Solicitation</td>
<td>August 30, 2017</td>
</tr>
<tr>
<td>Solicitation Available</td>
<td>August 30, 2017 at 9 AM EST</td>
</tr>
<tr>
<td>Question due</td>
<td>October 6, 2017</td>
</tr>
<tr>
<td><strong>Proposals Due</strong></td>
<td>October 26, 2017 Noon EST</td>
</tr>
<tr>
<td>Interviews &amp; Recommendation</td>
<td>November 7 – 8, 2017</td>
</tr>
</tbody>
</table>
4.1 Additional Requirements
The following terms and conditions will apply to the sale of the property described within this Solicitation:

1. The sale of the property is subject to the Vote and approval of the Lowell City Council

2. The selected Master Developer must execute a Land Disposition Agreement with the City of Lowell within sixty (60) days of notice by the City of the approval to sell the property. The LDA will include submission of an affidavit pursuant to MGL Ch. 60, Sec. 77B and a DCAMM disclosure form. The City reserves the right to waive or extend this deadline. In the event that the successful proposer fails, through no fault of the City of Lowell, to consummate the purchase, meet all requirements of the RFQ or enter into a Land Disposition Agreement for the subject property the City of Lowell will retain the five percent (5%) proposal deposit as liquidated damages.

3. Development of the subject property must be completed within the time frame listed in the development schedule submitted by the successful Master Developer. The time limit for physical development will commence at the time of LDA execution. The City reserves the right to waive or extend this deadline.

4. A review of applicant’s property tax history will be made by the City of Lowell’s Law Department. A Master Developer cannot be delinquent in the payment of taxes on any property in the City of Lowell, or must be current in a pre-existing repayment agreement with the City of Lowell Tax Collector/Treasurer’s Office. Applicant(s) must also state if they ever had property on which the City of Lowell foreclosed, and the circumstances leading to the previous foreclosure(s).

5. The City retains a right of entry for conditions broken from the successful Master Developer should the Master Developer fail to comply with the development of the property or any other portion of their Proposal. See Section 4.1.6.

6. A review of the Master Developer’s history of compliance with the Health Codes and Building Codes will be made by the Dept. of Planning and Development. Master Developers must also state if they have any outstanding code violations on properties that they currently own.

7. Upon conveyance, the deed and any other documents or plans relevant to the closing shall be recorded at the Master Developer’s expense at the Middlesex North Registry of Deeds.

8. The Master Developer must pay any and all real estate taxes as may be due in compliance with MGL Chapter 44 Section 63A as amended.

M.G.L. C. 44, § 63A. Payment in Lieu of Taxes in Event of Sale of Real Estate by Municipality.

Whenever in any fiscal year a town, which term, as used in this section, shall include a city, shall sell any real estate, the board or officer executing the deed therefore in the name and or behalf of the town shall, as a condition precedent to the power to deliver such deed, receive from the grantee as a payment in lieu of taxes allocable to the days ensuing in said fiscal year after the date of such deed, a sum which shall be equal to such portion of a pro forma tax computed as hereinafter provided as would be allocable to the days aforesaid if such pro forma tax were apportioned pro rata according to the number of days in such fiscal year; provided; however, that whenever the said real estate shall be sold between January second and June thirtieth of the fiscal year, the town shall also receive an additional amount equal to the entire pro forma tax computed as hereinafter provided and allocable as a payment in lieu of taxes for the next succeeding fiscal year. Such pro forma tax shall be computed by applying the town’s tax rate for the fiscal year of the sale, or, if such rate is not known, the town’s tax rate for the fiscal year next preceding that of the sale, to the sale price after crediting any exemption to which, if the deed had been executed and delivered on January first of such next preceding fiscal year, the grantee would have been entitled under section five of chapter fifty-nine. A recitation in the deed that there has been full compliance with the provisions of this section shall be conclusive evidence of such fact. Sums received under this section shall not be subject to section sixty-three of this chapter or to section forty-three of
chapter sixty, but shall be credited as general funds of the town. (Amended by 1983,72. § 1, approved April 29, 1983, effective 90 days thereafter.)

9. The Master Developer must comply with, execute, and include with the proposal the affidavit of compliance with the provisions of MGL, Chapter 7C, Section 38.

M.G.L. C. 7C, § 38. Disclosure Statements Filed with Deputy Commissioner.

No agreement to rent or to sell real property to or to rent or purchase real property from a public agency, and no renewal or extension of such agreement, shall be valid and no payment shall be made to the lessor or seller of such property unless a statement, signed, under the penalties of perjury, has been filed by the lessor, lessee, seller or purchaser, and in the case of a corporation by a duly authorized officer thereof giving the true names and addresses of all persons who have or will have a direct or indirect beneficial interest in said property with the Commissioner of capital asset management and maintenance. This section shall not apply to any stockholder of a corporation the stock of which is listed for sale to the general public with the Securities and Exchange Commission, if such stockholder holds less than 10 percent of the outstanding stock entitled to vote at the annual meeting of such corporation. In the case of an agreement to rent property from a public agency where the lessee’s interest is held by the organization of unit owners of a leasehold condominium created under chapter 183A, and time-shares are created in the leasehold condominium under chapter 183B, this section shall not apply to an owner of a time-share in the leasehold condominium who (i) acquires the time-share on or after a bona fide arm’s length transfer of such time-share made after the rental agreement with the public agency is executed and (ii) who holds less than 3 percent of the votes entitled to vote at the annual meeting of such organization of unit owners.

A disclosure statement shall also be made in writing, under penalty of perjury, during the term of a rental agreement in case of any change of interest in such property, as provided for above, within 30 days of such change. Any official elected to public office in the Commonwealth, or any employee of the Division of Capital Asset Management and Maintenance disclosing beneficial interest in real property pursuant to this section, shall identify his position as part of the disclosure statement. The commissioner shall notify the state ethics commission of such names, and shall make copies of any and all disclosure statements received available to the state ethics commission upon request.

The Commissioner shall keep a copy of each disclosure statement received available for public inspection during regular business hours.

10. The Master Developer must comply with, execute, and include with the proposal the affidavit of compliance with the provisions of MGL, Chapter 60, Section 77B

The mayor of any city or the selectmen of any town which holds property acquired by foreclosure of tax titles or acquired under section eighty may appoint a custodian who shall have the care, custody, management and control of all property heretofore or hereafter so acquired by said city or town. The custodian shall serve during the pleasure of the mayor or selectmen and shall receive as his compensation, if any, a sum fixed by the mayor or by the selectmen. The custodian, acting on behalf of the city or town, may, notwithstanding any provision of law, ordinance or by-law inconsistent herewith, sell at public auction any such property, first sending a notice thereof as herein provided to the owner of record immediately prior to the acquisition by the city or town of the title to such property. Such notice shall contain a description of the property to be sold sufficient to identify it, shall state the date, time and place appointed for the sale thereof and the terms and conditions of such sale, and shall be sent by registered mail to the address of such owner as appearing upon the records of the assessors of the city or town, at least fourteen days before such sale. The custodian shall also, not less than fourteen days before such appointed date, post a similar notice in two or more convenient and public places in the city or town. Failure to send or to post a notice as herein provided, or any insufficiency in the notice sent or posted, shall not invalidate the title to any property sold hereunder. The custodian may reject any and all bids at such sale or any adjournment thereof if in his opinion no bid is made which approximates the fair value of the property, and he may adjourn the sale from time to time for such periods as he deems expedient, giving notice thereof at the time and place appointed for the sale or for any adjournment thereof. After any such sale and upon payment by the purchaser to the city or town of the amount of a bid accepted by the custodian, the treasurer of said city or town shall, on its behalf, execute and deliver any instrument necessary to transfer the title of
the city or town to any such property sold under this section. This section shall not be construed to prevent a city or town from disposing of such property under section three of chapter forty, or in any other manner authorized by law. Any officer or board which executes a deed to convey property acquired by a city or town by foreclosure of a tax title or under section eighty, shall not execute such deed to any person unless such person has submitted to said board or officer a statement signed under the pains and penalties of perjury that neither he nor any person who would gain equity in the property as a result of such conveyance has ever been convicted of a crime involving the willful and malicious setting of a fire or of a crime involving the aiding, counseling or procuring of a willful and malicious setting of a fire, or of a crime involving the fraudulent filing of a claim for fire insurance; or is delinquent in the payment of real estate taxes to the city or town in which the property is being sold, or if delinquent, that a pending application for abatement of such tax, or a pending petition before the appellate tax board or the county commissioners has been filed in good faith. If there is more than one grantee of such deed, each grantee must file such statement, and no such deed shall be valid unless it contains a recitation that the board or officer granting the deed has received such statement.

If the custodian is of the opinion that a sale of any such property is not immediately practicable, the custodian, acting on behalf of the city or town, may, subject to the approval of the mayor or the selectmen, notwithstanding any provision of law, ordinance or by-law inconsistent herewith, lease such property for a term not exceeding three years, and may on behalf of the city or town execute and deliver such lease.

The custodian, subject to appropriation, may employ one or more assistants as may be necessary for the proper performance of his duties. Such assistants shall receive as compensation such amounts as may be approved by the mayor or by the selectmen.

11. The Master Developer must execute and include with the proposal an affidavit of non-conviction of crimes related to arson and that he, she, or they, are not delinquent in the payment of any real estate taxes to the City of Lowell, or must be current in a pre-existing repayment agreement with the City of Lowell Tax Collector-Treasurer’s Office. The Master Developer must also state if they ever had property on which the City of Lowell foreclosed, and the circumstances leading to the previous foreclosure(s).

12. All Master Developers must certify that the proposal has been made in good faith, without collusion or fraud and that you comply with the laws of the Commonwealth of Massachusetts.

13. All Initial Submissions must be accompanied by fully executed copies of all of the forms attached hereto in the Appendix.

4.1.1 Amendments/Modifications to Proposals

The Proposed Buyer may, at any time prior to the deadline for submission of the Proposals, amend or modify a Proposal by submitting the amendment/modification to the address specified in Part III of the RFQ, in a sealed package containing one (1) original and six (6) copies of the amendment/modification and clearly marked with the following information:

TITLE: “Amendment/Modification to the Proposal for Development of the Hamilton Canal Innovation District, Lowell, Massachusetts”

FROM: Name and Address of Proposer(s)

TO: City of Lowell
    Purchasing Department
    375 Merrimack Street
    Room 60
    Lowell, MA 01852
Amendments/modifications to Proposals must be submitted and received by the City of Lowell Dept. of Planning and Development prior to the deadline for submitting proposals outlined in this solicitation.

4.1.2 Withdrawal of Proposals
Any Proposed Master Developer may withdraw its proposal at any time prior to the deadline established in this solicitation. The proposed Master Developer wishing to withdraw a proposal must provide a written authorization and/or acknowledgment that he or she is withdrawing the proposal and that the City of Lowell is held harmless from any responsibility as a result of the proposal withdrawal.

4.1.3 Rejection of Proposals
The City of Lowell reserves the right to reject any or all proposals.

4.1.4 Authorization to Sell
All proposed Master Developers are hereby notified that the sale of the property described herein is conditioned upon the declaration of surplus property and authorization to convey by the Lowell City Council as may be necessary.

4.1.5 Conditions
Submission of a proposal in response to this solicitation constitutes an agreement by proposed Master Developer and any and all grantees in any subsequent deed from the City to be bound by and comply with all provisions of the entire solicitation, including its conditions, which shall survive the execution and acceptance of a deed of the subject property:

4.1.6 Right of Entry in the City for Condition Broken
If the Master Developer, or any successors or assigns in the ownership of the Property, shall default or violate any of its obligations under the Master Developer Agreement for the Hamilton Canal Innovation District, and such default shall not be cured within ninety (90) days after notice in writing, the CITY, after expiration of the cure period, shall have a right of entry for condition broken which shall be set forth in the deed and shall survive the execution and acceptance of the deed. At such time, the City shall execute and record a statement in writing, duly sworn to, containing: (1) a description of the property; (2) the nature of the right of entry; (3) the reasons for the exercise of such right; (4) the recording information relative to the deed or other instrument collating such right of entry; and (5) the name and address of the owner(s) of the fee to which the right of entry is subject. This statement shall be recorded with the Middlesex North District Registry of Deeds, and the Land Court Department thereof, if applicable. This right of entry for condition broken shall be applicable ten (10) years from the date of conveyance. The recording of a Certificate of Compliance, executed by the City Manager shall be conclusive evidence that all of the conditions subsequent, and provisions of the Master Developer Agreement have been fulfilled and that the City no longer retains a right of entry for conditions broken.
## Disclosure of Beneficial Interests in a Real Property Transaction

This form contains a disclosure of the names and addresses of all persons with a direct or indirect beneficial interest in the real estate transaction described below. This form must be filed with the Massachusetts Division of Capital Planning and Operations, as required by M.G.L. c.7, 40J, Prior to the conveyance of or execution of a lease for the real property described below. Attach additional sheets if necessary.

1. **Public agency involved in this transaction:** The City of Lowell
   
   *(Name of jurisdiction)*

2. **Complete legal description of the property:**

   - 193.1 Jackson Street
   - 221.4 Jackson Street
   - 221.5 Jackson Street
   - 239.1 Jackson Street
   - 256.1 Market Street
   - 256.2 Market Street
   - 256.5 Market Street
   - 256.6 Market Street
   - 256.7 Market Street
   - 256.8 Market Street
   - 291 Jackson Street
   - 330 Jackson Street
   - 341.1 Jackson Street
   - 341.2 Jackson Street
   - 341.3 Jackson Street
   - Park Tract 106-04

3. **Type of transaction:**

   - x Sale
   - □ Lease or rental for _______(term):

4. **Seller(s) or Lessor(s):** The City of Lowell

   **Purchaser(s) or Lessee(s):**

5. **Names and addresses of all persons who have or will have a direct or indirect beneficial interest in the real property described above.**

   *Note: If a corporation has, or will have a direct or indirect beneficial interest in the real property, the names of all stockholders must also be listed except that, if the stock of the corporation is listed for sale to the general public, the name of any person holding less than ten percent of the outstanding voting shares need not be disclosed.*

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<thead>
<tr>
<th>Name</th>
<th>Address</th>
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   *(Continued on next page)*
None of the persons listed in this section is an official elected to public office in the Commonwealth of Massachusetts except as noted below:

<table>
<thead>
<tr>
<th>Name</th>
<th>Title or position</th>
</tr>
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<tbody>
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</tbody>
</table>

6. This section must be signed by the individual(s) or organization(s) entering into this real property transaction with the public agency named in item 1. If this form is signed on behalf of a corporation, it must be signed by a duly authorized officer of that corporation.

The undersigned acknowledges that any changes or additions to item 4 of this form during the term of any lease or rental will require filing a new disclosure with the Division of Capital Asset Management and Maintenance within 30 days following the change or addition.

The undersigned swears under the pains and penalties of perjury that this form is complete and accurate in all respects.

Signature:__________________________________

Printed Name:_______________________________

Title:_______________________________________

Date:_______________________________________

M.G.L. C. 7, § 40 J. Disclosure Statements Filed with Deputy Commissioner.

No Agreement to rent or to sell real property to or to rent or purchase real property from a public agency, and no renewal or extension of such agreement, shall be valid and no payment shall be made to the lessor or seller of such property unless a statement, signed, under the penalties of perjury, has been filled by the lessor, lessee, seller or purchaser, and in the case of a corporation by a duly authorized officer thereof giving the true names and addresses of all persons who have or will have a direct or indirect beneficial interest in said property with the deputy commissioner of capital planning and operation. The provisions of this section shall not apply to any stockholder of a corporation the stock of which is listed for sale to the general public with the securities and exchange commission, if such stockholder holds less than ten per cent of the outstanding stock entitled to vote at the annual meeting of such corporation.

A disclosure statement shall also be made in writing under penalty of perjury, during the term of a rental agreement in case of early change of interest in such property, as provided for above, within thirty days of such change. The deputy commissioner shall keep a copy of each disclosure statement received available for public inspection during regular business hours. (Added by 1980, 579. § 12, approved July 16, 1980; by § 66. effective July 1, 1981.)
STATEMENT REQUIRED UNDER MGL CHAPTER 60, SECTION 77B

___________________________ certifies that he/she has never been convicted of a
(Name) crime involving the willful and malicious setting of a fire or of a crime involving the
aiding, counseling or procuring of a willful and malicious setting of a fire, or a crime
involving the fraudulent filing of a claim for fire insurance; and is not delinquent in the
payment of real estate taxes to the City of Lowell or any other City or Town.

Executed under the pains and penalty of perjury on the _______________ day of
_____________, 20____.

____________________________
(Signature)

COMMONWEALTH OF MASSACHUSETTS

On this ____ day of ___________, 20__, before me, the undersigned notary public, personally
appeared ________________________ (name of document signer), proved to me through
satisfactory evidence of identification, which were _______________________, to be the person
who signed the preceding or attached document in my presence, and who swore or affirmed to me
that the contents of the document are truthful and accurate to the best of (his) (her) knowledge
and belief.

____________________________
Notary Public

My commission expires: ________________
ACKNOWLEDGMENT OF SOLICITATION REQUIREMENTS

I, _________________________, ______________________ of ____________________________________
Name    Title              Proposer/Organization

hereby acknowledge that I fully understand the terms, conditions and requirements contained within the Master
Developer Solicitation for the City-Owned property known as the Hamilton Canal District including the following parcels
of land in Lowell, Massachusetts.

193.1 Jackson Street    256.5 Market Street    341.1 Jackson Street
221.4 Jackson Street    256.6 Market Street    341.2 Jackson Street
221.5 Jackson Street    256.7 Market Street    341.3 Jackson Street
239.1 Jackson Street    256.8 Market Street    Park Tract 106-04
256.1 Market Street    291 Jackson Street
256.2 Market Street    330 Jackson Street

Further, I hereby acknowledge receipt of the following addenda and clarifications to this solicitation:

___________________________________________    __________________________________________

___________________________________________    __________________________________________

___________________________________________    __________________________________________

___________________________________________    __________________________________________

___________________________________________    __________________________________________

Signature of individual submitting proposal    Date

___________________________________________

Name of business
CERTIFICATE OF NON-COLLUSION

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

____________________________________________
Signature of individual submitting proposal    Date

________________________________
Name of business

TAX COMPLIANCE CERTIFICATION

Pursuant to M.G.L. c. 62C, 49A, I certify under the pains and 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.

____________________________________________
Signature of individual submitting proposal    Date

________________________________
Name of business
LIST OF EXHIBITS

A. Hamilton Canal District Master Plan

B. Hamilton Canal District Form-Based Code
   i. Zoning
   ii. Subdivision

C. Canal Street as-built plans

D. Lord Overpass improvement project materials
   i. Concept Plan(s)
   ii. Proposal Presentation

E. HCID North Infrastructure plans