

TOWN OF FOXBOROUGH
REQUEST FOR QUALIFICATIONS
ENGINEERING SERVICES – SUBDIVISION AND SITE PLAN REVIEW

REQUEST FOR QUALIFICATIONS

RFQ #:	FY22 – ENGINEERING SERVICES
Bid Opening:	December 1, 2021 11AM
Bids Opened At:	The Gala Room Foxborough Town Hall 40 South Street, Foxborough, MA 02035

Contact

Audrey Strom, Procurement Administrator
astrom@foxboroughma.gov

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LEGAL NOTICE

Request for Qualifications
Engineering Services

The Town of Foxborough invites submission of qualifications for professional engineering services for subdivision and site plan review to be provided for the Town for a three-year period. Documents will be available starting October 27, 2021 by visiting the Town's website [Procurement - Town of Foxborough \(foxboroughma.gov\)](http://foxboroughma.gov). Qualification packages are due on December 1, 2021 at 11am, at the Town Manager's Office 40 South St., Foxborough. The Town of Foxborough reserves the right to accept or reject any and all bids.

William Keegan
Town Manager

Posted:

Central Register: 10/27/21
Newspaper: 10/27/21
Town Hall: 10/22/21
COMMBUYS: 10/27/21
Website: 10/25/21

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Introduction

The Town of Foxborough invites submission of qualifications for professional engineering services for subdivision and site plan review to be provided for the Town of Foxborough. The Town welcomes responses from individuals or firms. Bid documents will be available starting October 27, 2021 by visiting the Town's website [Procurement - Town of Foxborough \(foxboroughma.gov\)](https://www.foxboroughma.gov). Qualification packages are due on December 1, 2021 at 11am, at The Town Manager's Office

40 South Street, Foxborough, MA

Submittals must be clearly marked on the outside "Qualifications for Engineering Service Subdivision and Site Plan Review".

The Town of Foxborough Planning Board seeks to engage a consultant (referred to as "the Consultant") for a period not to exceed three years for the purpose of reviewing subdivision and site plan applications submitted to the Board. The Planning Board typically receives 1 subdivision and 5-6 site plan applications for review in a year. Future development of the Route 1 commercial corridor is expected as zoning in the corridor was recently updated to stimulate commercial development.

The following documents are available for examination on the Town website and in the planning board office. [Planning - Town of Foxborough \(foxboroughma.gov\)](https://www.foxboroughma.gov)

1. Foxborough Zoning By-Laws.
2. Town of Foxborough Planning Board Subdivision Rules and Regulations.
3. Town of Foxborough Planning Board Administrative Rules and Regulations including Site Plan Rules and Regulations.
4. Storm Water Regulations.
5. Any other relevant statute, regulation or bylaw.

The work includes review of plans and studies (including drainage analyses, storm water regulations and traffic impact reports) submitted to the Board. It is expected that the Consultant shall provide one-week turnaround of most materials transmitted to them. It is also expected that the Consultant shall, with sufficient notice, attend evening Planning Board meetings upon request of the Board. Remuneration shall be from a Planning Board consulting engineering budget account and/or from applicants pursuant to M.G.L. Ch. 44 § 53G.

Background

The Town of Foxborough is strategically located between New England's three largest cities – Boston, Providence and Worcester. Foxborough is 29 miles from Boston; 22 miles from Providence and 47 miles from Worcester. The Town is located at the intersections of Interstates

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95 and 495. Population is estimated at slightly fewer than 18,000 people living in 6,650± households.

Foxborough, MA is a tale of two “towns”: the first is a traditional mixed-use mill town with a Town Common and downtown commercial district, and the second is the Route 1 area, home to the National Football League’s New England Patriots. The Route 1 area includes the 68,000 seat Gillette Stadium, adjacent Patriot Place shopping center with eateries, entertainment venues, shops, a museum, medical facilities, and vast parking lots, as well as nearby hospitality entities.

Much of Foxborough is a residential community, serving as a home for people who work in Boston and other regional job centers. Foxborough, however, has also retained its traditional manufacturing job base at Schneider Electric (which purchased the Foxboro Company), as well as commercial centers at Gillette Stadium and Patriot Place. Residents enjoy the historic charm of Foxborough Center, as well as contemporary suburban housing and shopping experiences toward the edges of town. Foxborough is served by two interstate highways (I-95 and I-495), one MBTA commuter rail station at the stadium, and another MBTA station just over the border in Mansfield.

Scope of Work

1. Scope of work includes but is not limited to the following: Initial remote meeting or phone conference with the Director of Planning to outline the necessary steps of the process, establish the lines of communication, and agree on a budget and schedule.
2. Perform site visits when required to evaluate existing and proposed conditions.
3. Conduct a review of the information submitted by the proponent, and prepare a written report outlining application completeness, technical deficiencies, and concerns.
4. Review additional information submitted, meet with the proponent’s team and Town staff as required during subsequent reviews.
5. Attend public meetings as requested by the Director of Planning and/or Planning Board.

Proposed Project Schedule

RFQ available: October 27, 2021
Final date to submit questions: November 3, 2021
RFQ responses due: December 1, 2021 at 11AM
Interviews for final selection: Estimated December 2021
Contract Award: Estimated January 2022

QUALIFICATIONS

All applicants for consideration must possess the following minimum qualifications:

- Respondent’s firm or team will be an experienced, registered in Massachusetts Professional Civil Engineer. It may be useful to include any of the following, based on the expertise and experience of the principal contact (defined as the primary professional

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responsible for the reviews), a landscape architect, a certified land use planner, a transportation engineer, a wetlands scientist, or other associated professionals.

- Massachusetts registration and licensing in applicable disciplines.
- Thorough knowledge and understanding of site plan review in Massachusetts.
- Demonstrated experience with review of plans and studies including storm water regulations, drainage analysis and traffic impact reports.
- Sufficient level of staffing to perform the review within the requirements set forth by the Town of Foxborough’s Planning Board (usually one week.)
- Five years comparable work for government entities, with sufficient information to permit the Board to understand and verify the exact nature of contribution to other projects and entities. The Consultant is requested to disclose previous work experience within the Town of Foxborough.
- The Project Team shall be clearly identified, with subconsultants so notated.

SUBMISSION REQUIREMENTS

One clearly marked single sided original copy (unbound), nine (9) bound copies and one (1) electronic copy (neither facsimiles nor emails are acceptable) of the following requirements must be submitted to the attention of Office of the Board of Selectmen, Town of Foxborough, 40 South Street Foxborough, MA 02035 no later than December 1,2021, at 11am. Submittals must be clearly marked on the outside “Qualifications for Engineering Service Subdivision and Site Plan Review”.

(Note: qualification packages must be delivered to the Office of the Town Manager. If you are using a delivery service –please take notice, failure to deliver to this location may result in a disqualification of your submission.)

The information shall be submitted with clearly identified sections as identified and described as outlined.

1. **LETTER OF APPLICATION**
2. **QUALIFICATIONS INFORMATION**
 - Resumes of all team members of the Engineering firm and of key members of all consulting forms.
 - Evidence of professional liability insurance from an insurance company licensed to do business in the Commonwealth of Massachusetts.
3. **REVIEW APPROACH**
 - Provide a list of recently completed site plan reviews (past five years), and their corresponding project costs and size, in the greater Boston area.
 - A brief description of the types of plan review that were performed for other municipalities, including Foxboro. Vendor will describe how they will deal with the proposed schedule.
 - Submit sample forms and reports for similar projects.
4. **SUBMISSION OF REQUIRED FORMS**

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- Insurance and Certifications
- W-9
- Certificate of Non-collusion
- Tax Compliance Certification
- Certificate of Vote
- ***Executed copy of the Town's Services Contract – failure to submit the signed contract may be grounds for disqualification. This is for acceptance of the Town's Terms and conditions.***

OTHER CONDITIONS

- An Owner/Designer agreement is attached. Responders **must** complete, sign and include, unaltered, with the submission package.
- Finalists may be required to appear before the Town of Foxborough Planning Board to review their qualifications
- Questions concerning request for qualifications must be submitted in writing on or before November 3, 2021 at 1pm to Audrey Strom at astrom@foxboroughma.gov.

INSURANCE REQUIREMENTS

The successful proposer shall procure and maintain, at the Contractor's expense, the following insurance coverage for the period of the contract. Certificates evidencing the effective dates and amounts of such insurance must be provided to the Town of Foxborough before a contract is signed and any work commenced.

1. Workers Compensation Insurance as required by the State of Massachusetts.
2. Professional liability in the amount of \$1,000,000 per occurrence and \$1,000,000 in aggregate.
3. Commercial General Liability and Personal Injury Insurance up to \$500,000 with the Town named as an additional insured.

SELECTION PROCEDURE

The Town of Foxborough Planning Board will select finalists for interviews based upon the following criteria. Selection criteria for finalists will be reviewed by the Planning Board based on the items noted below. A clear understanding of the Town's needs, process, the work involved, and the content of the proposal;

1. The quality, depth of the experience, expertise of the individuals who will do the work;
2. Strength in local planning, subdivision administration, and site plan review, as members of local boards, as consultants to Boards, or as municipal employees;
3. Quality of the Consultant's technical approach with emphasis on techniques for incorporating the Town's needs and concerns of the public into the Project;
4. The Consultant's demonstrated ability to meet turnaround times described in this Request;

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CERTIFICATE AS TO CORPORATE CONTRACTOR

I

Certify that I am _____ of
the Corporation named as Contractor in the within Proposal Form that

_____ who signed said Proposal Form on behalf of the
Contractor was then _____ of said Corporation; that
I know his signature and that his signature hereto is genuine and that said Proposal Form was
duly signed, sealed, and executed for and on behalf of said Corporation by authority of its Board
of Directors.

(Corporate Seal)

(Signature)

(Title)

This Certificate must be completed where the Contractor is a Corporation, and should be so completed by its Clerk. In the event that the Clerk is the person signing the Proposal on behalf of the Corporation, this Certificate must be completed by another Officer of the Corporation.

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CERTIFICATE OF VOTE

(to be filed if Contractor is a Corporation)

I, _____ " hereby certify that I am the duly qualified and acting
(Secretary of the Corporation)

Secretary of _____ and I further certify that at
(Name of Corporation)

a meeting of the Directors of said Company, duly called and held on _____
(Date of Meeting)

at which all Directors were present and voting, the following vote was unanimously passed:

VOTED: _____ authorize and empower
To _____

Anyone acting singly, to execute Forms of General Proposal, Contracts or Bonds on behalf of the Corporation.

I further certify that the above vote is still in effect and has not been changed or modified in any respect.

By: _____
(Secretary of Corporation)

A True Copy:

Attest: _____
(Notary Public)

My Commission Expires: _____
(Date)

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CERTIFICATION STATEMENTS

The response and statements are hereby submitted in response to the request for qualification cited above. All information, statements are true, accurate and binding representations of its intentions and commitments in responding to this RFQ. Bidder acknowledges that they have read all the bid and contract documents and understands their obligations to faithfully perform the work.

Vendor :			
Street:			
City:		State:	
		Zip:	
Phone:		e-mail:	
	Web Address:		

Non-Collusion Statement

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

Taxes Paid Certification

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

For the Bidder:

Attach certificate of corporate vote

X _____

Printed Name: _____

Title: _____

Date: _____

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AGREEMENT

The following provisions shall constitute an Agreement between the Town of Foxborough, acting by and through its Town Manager hereinafter referred to as "Town", and _____, with an address of _____ hereinafter referred to as "Contractor", effective as of the ___ day of _____, 20___. In consideration of the mutual covenants contained herein, the parties agree as follows:

ARTICLE 1: SCOPE OF WORK:

The Contractor shall perform all work and furnish all services necessary to provide the Town with the Contractor shall perform all work in accordance with the specifications contained in Attachment A.

ARTICLE 2: COMPENSATION:

The Town shall pay the Contractor for the performance of the work outlined in Article 1 above the contract sum of _____ in accordance with the provisions of the specifications, or as set forth in an attachment here to. Remuneration shall be from a Planning Board consulting engineering budget account and/or from applicants pursuant to M.G.L. Ch. 44 § 53G.

ARTICLE 3: CONTRACT DOCUMENTS:

The following documents form the Contract and all are as fully a part of the Contract as if attached to this Agreement or repeated herein:

1. This Agreement.
2. Amendments, or other changes mutually agreed upon between the parties.
3. All attachments to the Agreement.

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In the event of conflicting provisions, those provisions most favorable to the Town shall govern.

ARTICLE 4: CONTRACT TERMINATION:

The Town may suspend or terminate this Agreement by providing the Contractor with ten (10) days written notice for the reasons outlined as follows:

1. Failure of the Contractor, for any reason, to fulfill in a timely and proper manner its obligations under this Agreement.
2. Violation of any of the provisions of this Agreement by the Contractor.
3. A determination by the Town that the Contractor has engaged in fraud, waste, mismanagement, misuse of funds, or criminal activity with any funds provided by this Agreement.

ARTICLE 5: INDEMNIFICATION:

The Contractor shall defend, indemnify and hold harmless the Town and its officers, agents, and all employees from and against claims arising directly or indirectly from the contract. Contractor shall be solely responsible for all local taxes or contributions imposed or required under the Social Security, Workers' Compensation, and income tax laws. Further, the Contractor shall defend, indemnify and hold harmless the Town with respect to any damages, expenses, or claims arising from or in connection with any of the work performed or to be performed under this Agreement. This shall not be construed as a limitation of the Contractor's liability under the Agreement or as otherwise provided by law.

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ARTICLE 6: AVAILABILITY OF FUNDS:

The compensation provided by this Agreement is subject to the availability and appropriation of funds.

ARTICLE 7: APPLICABLE LAW:

The Contractor agrees to comply with all applicable local, state and federal laws, regulations and orders relating to the completion of this Agreement. This Agreement shall be governed by and construed in accordance with the law of the Commonwealth of Massachusetts.

ARTICLE 8: ASSIGNMENT:

The Contractor shall not make any assignment of this Agreement without the prior written approval of the Town.

ARTICLE 9: AMENDMENTS:

All amendments or any changes to the provisions specified in this Contract can only occur when mutually agreed upon by the Town and Contractor. Further, such amendments or changes shall be in writing and signed by officials with authority to bind the Town. Additionally, all amendments and changes shall be approved by the Town Accountant prior to execution by the awarding authority. No amendment or change to the contract provisions shall be made until after the written execution of the amendment or change to the Contract by both parties.

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ARTICLE 10: INSURANCE:

The Contractor shall be responsible to the Town or any third party for any property damage or bodily injury caused by it, any of its subcontractors, employees or agents in the performance of, or as a result of, the work under this Agreement. The Contractor and any subcontractors used hereby certify that they are insured for workers' compensation, property damage, personal and product liability. The Contractor and any subcontractor it uses shall purchase, furnish copies of, and maintain in full force and effect insurance policies in the amounts here indicated.

General Liability

Bodily Injury Liability:	\$1,000,000 per occurrence
Property Damage Liability	\$ 500,000 per occurrence
(or combined single limit)	\$1,000,000 per occurrence

Automobile Liability

Bodily Injury Liability:	\$1,000,000 per occurrence
Property Damage Liability	\$ 500,000 per occurrence
(or combined single limit)	\$1,000,000 per occurrence

Workers' Compensation Insurance

Coverage for all employees in accordance with Massachusetts General Laws

Professional Liability Insurance

Minimum Coverage	\$1,000,000 per occurrence
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Prior to commencement of any work under this Agreement, the Contractor shall provide the Town with Certificates of Insurance which include the Town as an additional named insured and which include a thirty day notice of cancellation to the Town.

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CERTIFICATION AS TO PAYMENT OF STATE TAXES

Pursuant to M.G.L. c.62C, §49A, I certify under the penalties of perjury that the Contractor has complied with all laws of the Commonwealth of Massachusetts relating to taxes.

Social Security Number or
Federal Identification Number

Signature of Individual or
Corporate Name

By:

Corporate Officer
(if applicable)

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the day and year first above written.

CONTRACTOR

TOWN OF _____

by

by its _____

Printed Name and Title

Approved as to Availability of Funds:

_____ (\$_____)

Town Accountant

Contract Sum