



# TOWN OF UPTON, MASSACHUSETTS

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## LAND USE & INSPECTIONAL SERVICES

DATE OF ISSUE: November 8, 2023

Open until filled

Anticipated Award date: January 2024

### Request For Qualifications and Quotes - Inclusionary Zoning Economic Feasibility Analysis & MBTA Communities Technical Support

#### **I. Background**

The Town of Upton has received \$30,000 in grant funds from the Massachusetts Community Planning Grant. The grant funds were approved to provide the Town professional services for an Inclusionary Zoning Economic Feasibility Analysis and technical assistance pursuant to the requirements of the MBTA Communities MGL Chapter 40A Section 3A guidelines provided by EOHL.

The Town of Upton is seeking compliance with MGL 40A Section 3a, which requires MBTA Communities to allow for multi-family housing as-of-right within a reasonably sized District. The District should provide for a density of 15 units per acre. As a "Small Town Adjacent Community", Upton is required to provide for a Zoning District that would allow no less than 150 units on 10 acres.

The Town has recently adopted a new Housing Production Plan and intends to increase the number of affordable units in Upton through means of progressive housing policies. Upton would like to provide for additional housing units in compliance with MBTA Communities, while preventing a widening gap between market-rate units and the required 10% affordable housing stock (SHI). To do so, the Town is exploring the implementation of Inclusionary Zoning.

Section 4B "Affordability Requirements" of EOHL's Compliance Guidelines for Multi-Family Zoning Districts has further limitations related to any affordability requirements to be consistent with the States for As-of-Right-Zoning Municipalities are not to require more than 10% of the units in a project to be affordable units. Furthermore, the cap on income of families or individuals who are eligible to occupy affordable units cannot be less than 80% of the Area Median Income (AMI). EOHL will permit more than 10% but no more than 20% of the units in a project to be affordable units, provided the Zoning is supported by an Economic Feasibility Analysis. Along with the Request for Qualifications, an additional request is made for a price quote in order to prepare the Economic Feasibility Analysis for Upton.

#### **II. Scope**

1. Inclusionary Zoning Economic Feasibility Analysis. The Town seeks the services of a professional consultant to conduct a Market Feasibility Study. The Study will evaluate and determine an appropriate ratio requirement of affordable housing to market rate housing within proposed new development to be incorporated in a new Inclusionary Zoning Bylaw. The Inclusionary Zoning requirement will be incorporated into a new draft MBTA Communities, Multifamily as-of-right, District Zoning Bylaw.
2. MBTA Communities Compliance Technical Assistance. Additionally, the Town seeks services of a professional consultant to provide technical assistance with the creation of the new multifamily, as-

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of-right, Zoning District in compliance with the MBTA Communities requirements. The selected consultant will create a draft Bylaw for a new Zoning District and work with the Board to accomplish tasks within the Interim Compliance Action Plan approved by EOHL.

### **III. Project Requests and Deliverables**

#### Economic Feasibility Analysis -

- Review any applicable materials created by the Central Massachusetts Regional Planning Commission (CMRPC);
- Review Upton's Draft Housing Production Plan;
- Analyze Upton's local real estate market conditions including local lease rates, land values, construction costs, average rents, homes sales, housing inventory, average home sale cost, and any other relevant data to support the Feasibility Analysis;
- EOHL's Compliance Guidelines describing the Economic Feasibility Analysis are [here](#) and [here](#). The analysis Pro-Forma Assumptions Checklist is [here](#), under "Economic Feasibility Analysis Materials.";
- Prepare an Economic Feasibility Analysis which discusses the probable rate of implementing a successful and effective Inclusionary Zoning Bylaw;
  - Can an Overlay District in compliance with the MBTA Communities requirements support an Inclusionary Zoning Bylaw requiring between 10% and 20% of affordable housing stock?;
  - What is the maximum percentage requirement of affordable units to market rate units Upton can sustain? Responses should be based on different housing types as the maximum percentage may change relative to density and development style. Currently the MBTA communities requirement is that Upton provide a density of 15 units per acre.

#### Technical Assistance -

- Review Zoning District requirements within Upton's Zoning Bylaw;
- Review Upton's Interim Compliance Action Plan approved by EOHL;
- Review locations of available infrastructure;
- Work with staff to identify action items based on Interim Compliance Plan;
  - Assist with defining and implementing a Public Outreach Program;
  - Develop Zoning Bylaw language and assistance with defining District boundaries;
  - Attend at least one Planning Board Public Hearing to provide technical assistance in creating new a Zoning Bylaw.

### **IV. Request for Quotes and Qualifications – Submission Requirements**

#### **1. Technical Proposal**

All technical proposals shall contain the following:

- a. A description of the firm's qualifications, including details of previous projects of this type.
- b. The resumes of professional personnel who will be working on the project. The manager or professional who will be responsible for planning, coordinating, and conducting the majority of the work must be identified and committed to this project.
- c. A list of potential sub-consultants proposed to assist the principal consultant. This list shall include the sub-consultant's qualifications pertinent to this project.
- d. Client reference list with full contact information for clients for similar projects.

- e. Estimated time line for completion of project.
- f. A narrative description of the scope of work which substantiates the firm's understanding of the project and its objectives for the principal project and the alternative option.

## 2. Price Proposal

All price proposals shall contain the following:

- a. Lump sum and direct cost breakdown of payment schedule for completion of the project.
- b. Schedule of professional fees on an hourly basis.
- c. Completed/signed copies of the Statement of Tax Compliance/Non-Collusion and Certificate of Vote.

Submittals must provide a Technical Proposal and Price Proposal for both the Inclusionary Zoning Economic Feasibility Analysis and MBTA Communities Compliance Technical Assistance separately. Respondent may choose to only bid on a portion of this RFQ. If respondents are only bidding on one of the two components described in Section II. Scope, then that must be stated and made clear in the submittal documents.

Respondents must be qualified, independent, third-party consultant, acceptable to EOHL using a methodology acceptable to EOHL.

## g. Selection Criteria and Response Due Date

A consultant will be selected based on availability, experience with similar Feasibility Studies, knowledge of the local real estate markets within the region, affordable housing, and private development and construction best business practices.

### 1. Minimum Evaluation Criteria

In order to be considered for selection, the Consultant must meet the following minimum criteria:

- a. Completion of a similar or comparable project for another municipality.
- b. Demonstrated expertise in the technical and professional background required by this project.
- c. Submission of all required information specified herein.

### 2. Comparative Evaluation Criteria

All proposals that meet the minimum qualifications will be further evaluated on the basis of the following comparative criteria:

- a. Completion of Inclusionary Zoning Economic Feasibility Analysis for projects of similar nature and encompassing areas of comparable size.
- b. Experience with the following: general community planning and development; market feasibility studies and economic analysis; private development and best business practices for development and construction; knowledge and understanding of the local real estate markets within the area and surrounding regions; and, drafting zoning bylaws and regulations.

- c. Experience/background in the planning topics (themes) to be addressed in the Plan, as required under the Scope of Services;
- d. Demonstrated understanding of MGL 40A Section 3A and the applicable guidelines as provided by EOHLIC and any future revisions;
- e. Demonstrated ability to produce work of highest quality, to complete projects on schedule and within budget.
- f. Qualifications, experience, and involvement of the Consultant's team, including sub-consultants, in relation to successfully completed project of similar nature.
- g. Overall quality and depth of proposal.

Please submit to the Director of Land Use and Inspectional Services, Michael Antonellis, at [mantonellis@uptonma.gov](mailto:mantonellis@uptonma.gov).

Any question relative to this RFQ and details herein should be submitted to the Director of Land Use and Inspectional Services, Michael Antonellis, at [mantonellis@uptonma.gov](mailto:mantonellis@uptonma.gov).

#### **Links**

<https://www.mass.gov/doc/economic-feasibility-analysis-guide/download>

<https://www.mass.gov/doc/economic-feasibility-analysis-how-to/download>

<https://www.mass.gov/info-details/resources-for-mbta-communities#economic-feasibility-analysis-materials->