

# TOWN OF LYNNFIELD



## OFFICE OF THE TOWN ADMINISTRATOR REQUEST FOR PROPOSALS

The Town of Lynnfield, Massachusetts (the "Town") hereby requests proposals to purchase a parcel of real property (the "Property") pursuant to the terms and conditions set forth in a Request for Proposals that is available from the Office of the Town Administrator (the "RFP").

### Property Description:

The Property is shown as Parcel 725 on Map 52 of the Assessors' Maps of the Town. The Property consists of approximately 8,258 square feet, more or less, together with any and all buildings and improvements thereon. Other descriptive information about the Property, if available, includes the following: Land off Witham Street, in Lynnfield MA.

**Restrictions on Use:** The Board of Selectmen of the Town have determined to sell the Property subject to certain restrictions. Those restrictions, which shall be set forth as covenants in the deed which will run with the land, are as follows:

No structure may be built on the Property; no combination of the Property, nor any part or parts of the Property, with any adjoining lot shall render buildable any lot that is not independently buildable under the applicable Zoning Bylaws; and that the Property shall not be made the subject of an application for a variance under G.L. c. 40A or a comprehensive permit under G.L. c. 40B.

### Minimum Proposal:

The Town Meeting of the Town has set a minimum price for the sale of the Property. The minimum proposal which will be considered is as follows:

Ten thousand, seven hundred dollars (\$10,700) (U.S.)

**Evaluative Criteria:** The Town anticipates that price will be the chief criterion for evaluating proposals. Therefore it is expected that the Town will accept the highest price offered by a responsive and responsible proposer. A responsive proposer is one who submits a proposal (the "Proposal") on

the "Proposal" form enclosed with the RFP, having supplied all the information required, having signed the Proposal on the lines indicated, and offering a sum of money at least equal to the minimum bid set forth above. The Board of Selectmen of the Town will select the successful proposer.

**Proposal Submission Requirements:** All Proposals should be submitted in a sealed envelope to the Town Administrator of the Town of Lynnfield so as to be received not later than 10 a.m. on **September 16, 2019**, at which time all Proposals will be publicly opened and read. If the opening of the Proposals is postponed because of an emergency, fire or other extraordinary cause, the Proposals will be opened the next day when the Town Hall is open for normal business at 10 a.m. The address of the Town Administrator is:

Lynnfield Town Hall  
55 Summer Street  
Lynnfield, Massachusetts 01940

Proposals may be mailed or hand-delivered, provided that they are actually received prior to the above-stated date and time. Each proposer should write his name, address and telephone number on the outside of the sealed envelope containing his Proposal. Receipts are available upon request.

**Award of Contract.** At their next evening meeting following the opening of Proposals, the Board of Selectmen of the Town intend to award the contract to purchase the Property to the proposer submitting the successful Proposal. Within five (5) business days thereafter, the successful proposer shall execute and deliver a purchase and sale agreement (the "P&S"), substantially in the form attached to the RFP, at the office of the Town Administrator and shall at that time also pay a deposit equal to ten percent (10%) of the amount of the proposed purchase price. Said deposit shall take the form of a certified, cashier's or bank check, or a money order, made payable to the "Town of Lynnfield." The Town Administrator will endeavor to notify the successful proposer of the Selectmen's decision but the responsibility to learn of that decision

and to appear timely to execute and deliver the P&S and to pay the deposit shall belong exclusively to the successful proposer. The closing shall take place within thirty (30) days thereafter, as set forth in the P&S, which shall govern the disposition of the deposit and all other issues relating to the conveyance of the Property. If the successful proposer fails to execute and deliver the P&S and pay the deposit as required, the Board of Selectmen may, in their discretion, award the contract to the next highest bidder whom the Board deems responsive and responsible, or reject all Proposals.

**Reservation of Rights; No Representations or Warranties.** The Town reserves the right to accept or reject any or all Proposals as it may deem to be in the best interest of the Town, and to waive minor informalities in determining who is a responsive proposer. The Town further reserves the right to rescind any approval by the Board of Selectmen of any Proposal at any time prior to the execution and delivery of the P&S. The Property is offered on an "as is, where is" basis, without warranties or representations of any kind. Conveyance will be made by a quitclaim deed. Without limiting the generality of the foregoing, the Town does not represent or warrant that it has good, clear or marketable title to the Property; or that the Property may be used for any particular purpose; or that the Property complies with any applicable laws, statutes, codes, regulations or other legal requirements; or that the Property will be assessed for purposes of real estate taxes on the basis of the price at which the Property is sold. If, at the time of closing, the Town does not have good clear record and marketable title, however, then as set forth in the P&S the purchaser will have the right to elect in writing to rescind the P&S and the deposit will be returned without interest.

Interested persons are urged to contact the Town Administrator of the Town at the address set forth above, or by e-mailing Asst. Town Administrator Robert Curtin at [rcurtin@town.lynnfield.ma.us](mailto:rcurtin@town.lynnfield.ma.us) to obtain a copy of the full RFP.

8-7-19, 8-14-19 LV