

Chapter 30B

Making It Work For You



MHP Housing Institute
June 2016



**Massachusetts
Housing
Partnership**

160 Federal Street
Boston, MA 02110
617-330-9955
www.mhp.net

What is M.G.L. Chapter 30?

State's procurement statute overseen by the Inspector General's (IG) office. It applies to:

- Acquisition of:
 - goods and services
 - real property

- Disposition of:
 - real property
 - surplus supplies

Who needs to comply with M.G.L. c. 30B?

All public entities including:

- Cities and towns
- Housing authorities
- Municipal boards commissions, agencies, authorities and departments including municipal housing trusts

Supplies and Services Thresholds

Procurement Amount

- Less than \$10,000
- Between \$10,000 and \$34,999
- \$35,000 or more



Action Required

- “Sound business practices”
- 3 price quotes (oral or written)
- Competitive sealed bids or proposals

Section 16: Real Property Acquisition and Disposition

- Land and Buildings
- Shares many policy and procedural characteristics with other sections of M.G.L. 30B
- Provides greater flexibility in procurement process
- Permits structuring solicitations as Invitation to Bid (IFB) or Request for Proposal (RFP)
- Emphasizes open and fair competition

Real Property Acquisition and Disposition

- You must solicit proposals if:
 1. The property you are acquiring costs more than \$35,000 or,
 2. The property you are disposing of has a value exceeding \$35,000

RFP Requirements

- Must have a Chief Procurement Officer (CPO) or person with Delegated Authority
- Document in writing reason for issuing an RFP
- Includes Comparative Criteria

RFP Features

- Includes Ranking Categories
- Evaluation process is longer and more complicated
- Award contract to the “responsive” and “responsible” proposer offering the most advantageous proposal



Disposition of Public Property

Why dispose of the property?

- Complexity of financing and public construction
- Lack of staff capacity
- Financial risk
- Political implications
- Management of “private housing”



Stony Brook, Westford
Disposition by Westford Housing Authority

Steps in Land Disposition Process

1. Declare property available for disposition
2. Determine the value of the property
3. Develop the RFP
4. Advertise in the Central Register
5. Distribute the RFP
6. Open and evaluate proposals
7. Execute the contract/lease

Components of an RFP

Description of site

Type of disposition – sale or lease

Target population, type of housing, and level of affordability

Submission requirements

Design guidelines

Evaluation criteria

Schedule

Forms and certifications



Elements of a Good RFP

1. Compliance with 30 B procurement requirements
2. Clear statement of goals
3. Comprehensive information about the site
4. Thoughtful and thorough evaluation criteria

WAYLAND, MASSACHUSETTS
NIKE SITE COMMUNITY HOUSING
PROJECT



REQUEST FOR PROPOSALS

Submit Proposals to:
Frederic E. Tarrington, Town Administrator
Wayland Town Building
41 Cocklestone Road
Wayland, MA 01778

Proposal Due:
Thursday, November 9, 2006 at 11:00 AM

Typical Development Scenario

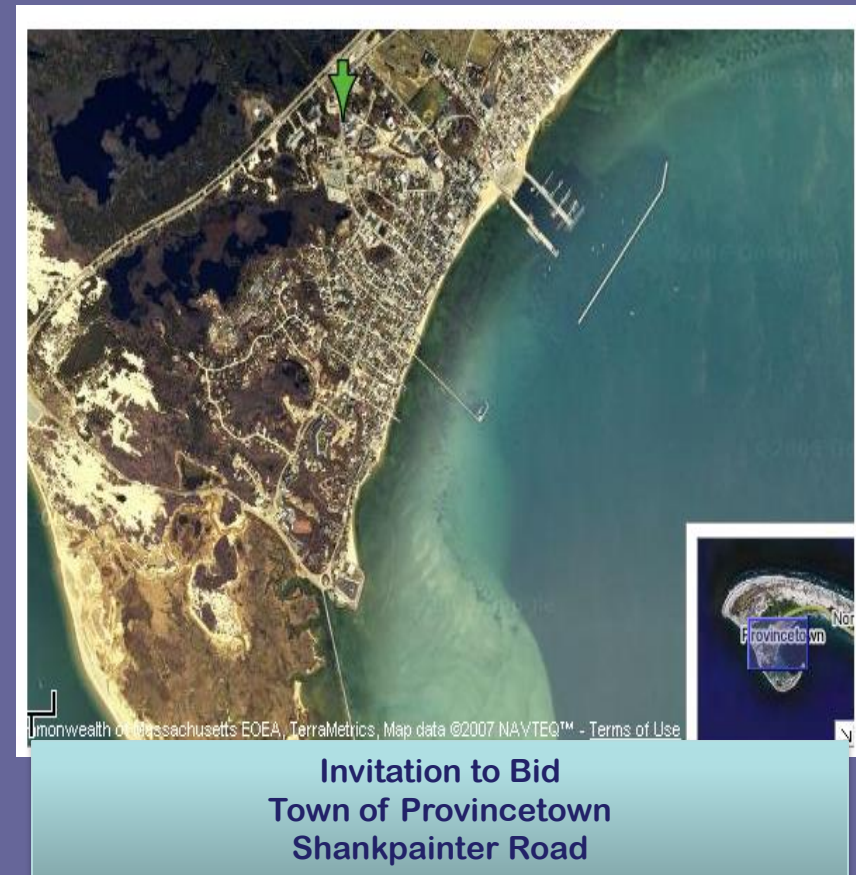
1. Municipality, trust or LHA identifies a site for affordable housing
2. Authorization to dispose of the site from governing body
3. Set goals
4. Complete due diligence to determine feasibility
5. Additional research on site; test financial feasibility



Main Street, Amherst
Amherst Housing Authority

Development Scenario cont'd

6. Develop a Request for Proposals (RFP) to seek a developer/ development team
7. Review proposals and select a developer
8. Execute a development agreement and/or purchase and sale or a lease with the designated developer



Do Your Homework ...

- M.G.L. Chapter 30B governs the procurement and disposition of supplies, services and real property for local governments.
- Real property with a value of more than \$35,000 must be disposed of using an RFP.
- You must determine the value of the property before you can dispose of it.

The Chapter 30B Manual

**Legal Requirements,
Recommended Practices,
and Sources of Advice
for Procuring Supplies, Services,
and Real Property**



Commonwealth of Massachusetts
Office of the Inspector General
Gregory W. Sullivan
Inspector General

Copyright 2011 by the Commonwealth of Massachusetts
Office of the Inspector General, Boston, Massachusetts
All rights reserved
First edition published 1990, revised 1995, 1998, 2000, 2006, 2011
Printed in the United States of America

Printed on recycled paper

Common RFP Mistakes

1. Unrealistic time schedule
2. Inadequate Developer Qualifications
3. Goals and Guidelines not specific enough or too prescriptive
4. Limited site information
5. Excessive submission requirements
6. Evaluation criteria unclear and subjective
7. Mandated design (without designer selection or public construction)
8. Approvals by public entity post developer selection e.g. construction or management oversight

Main St., Amherst

Sponsor: Valley CDC

Manager: Amherst Housing Authority



- 11 Rental Units
- Infill Development
- Approx. 4 acres
- Allowed under zoning



Massachusetts Housing
Partnership
www.mhp.net

Rita Farrell
rfarrell@mhp.net
413.253.7379

Laura Shufelt
lshufelt@mhp.net
857.317.8582