

**HEARINGS, MEETINGS, LICENSES**  
**6-29-09**

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*336 Years of Progress*



CRANBERRY CAPITAL  
OF THE WORLD



**Town of Middleborough**  
**Massachusetts**

Town Manager

508-947-0928  
FAX 508-946-2320

**MEMORANDUM**

To: Board of Selectmen  
From: Charles J. Cristello, Town Manager *CR*  
cc: Ruth McCawley Geoffroy, Town Planner  
Date: June 26, 2009  
Subject: *Use of Resort Pre-Planning Funds*

I have drafted several votes for you to consider after you hear from the Resort Advisory Committee Monday evening.

Authorize the use of \$142,881 in resort pre-planning funds for three staff positions.

Authorize the staff to seek proposals for a Strategic Plan for the John Glass (Everett Square) Area.

Authorize the staff to seek proposals for a Medical Feasibility Study.

Authorize the staff to work on a contract with McMahon Associates for Transportation Design and Assistance.

Authorize the use of \$6,000 in resort pre-planning funds for a color plotter for GIS mapping.

The Resort Advisory Committee will be meeting with Health Officer Jeanne Spaulding to discuss the proposed Rental Housing Certification program so there is no recommended motion to consider at this time.

I have also attached a draft letter to Chairman Cromwell requesting our pre-planning funds for FY 10. As you can see, we have added more detail than last year. I am recommending that we use this letter to ask that Chairman Cromwell confirm in writing the statements on pre-planning funds that he made to the Board of Selectmen in March.

Please feel free to call me if you have any questions.

 **DRAFT**

July 13, 2009

Cedric Cromwell, Chairman  
Mashpee Wampanoag Tribe  
1048 Great Neck Road, South  
P.O. 1048  
Mashpee, MA 02649

Re: Annual Pre-opening Mitigation - Planning Payment

Dear Chairman Cromwell,

It has come to the Middleborough Board of Selectmen's attention that the Town has not received the FY '10 Pre-opening Mitigation - Planning Payment as identified in Section 5.A. of the Intergovernmental Agreement. Said payment should have been received by the Town for the start of the fiscal year on July 1, 2009.

As you are aware, the Town is using this money to fund a full time Staff Planner in the Planning Department to free up the Planning Director (Town Planner) to assist you and the Town with resort related matters. Other staff includes a part-time Planning Department Clerk and part-time Economic and Community Development Director. Because employee salaries are dependent on the funds, it is imperative that adequate monies are available to pay their salaries on a weekly basis. In addition attached you will find a summary of projects and expenses that the Town is currently undertaking or has completed related to planning and preparation for the resort casino that have been funded by the Pre-planning monies

Thank you in advance for your attention to this matter. If you have any questions please do not hesitate to contact Ruth McCawley Geoffroy, Planning Director at 508-946-2425.

Respectfully yours,

Patrick Rogers, Chairman  
Middleborough Board of Selectmen

**PAST EXPENDITURES OF CASINO PRE-PLANNING MONEY:**

Date	Activity	Credit	Debit	Balance
9/2007	FY '08 Payment Received	\$250,000		
8/5/08	FY '09 Payment Received	\$250,000		\$500,000
	Total Received			\$ 17,592
2/14/08	Salaries & benefits 2/14/08-6/30/08		\$ 1,866	
2/22/08	Advertise for Staff Planner (twice)		\$ 1,688	
5/8/08	APA Conference (Casino Development track)		\$ 24,900	
6/11/08	Matrix EMS Study		\$111,168	
7/1/08	Salaries & benefits 7/1/08-6/30/09		\$ 3,544	
8/20/08	GIS Computer (Computer for Staff Planner)		\$ 16,000	
2/2/09	Pinnacle Hotel Feasibility Study		\$ 7,500	
2/2/09	Fort Hill Advisors Growth District Assistance (State funding to begin construction of part of Ring Road)		\$ 5,000	
2/2/09	Appraisal of Town Land Rte 28 at Rotary (Priority site for hotel/hospitality development)			
	<b>Total Available as of 6/9/09</b>			<b>\$310,742</b>

**PROPOSED EXPENDITURES OF CASINO PRE-PLANNING MONEY:**

Date	Activity	Credit	Debit	Balance
	Total Available as of 6/9/09			\$310,742
7/1/09	Salaries & benefits 7/1/09-6/30/10 (Staff Planner FT, Planning Clerk PT, Director OECD PT)		\$142,884	\$167,858
7/1/09	Everett Square Redevelopment - Strategic Plan (Plan to address multifamily housing, slum & blight and commercial vitality of Everett Sq. prior to casino opening)		\$ 25,000	\$142,858
7/1/09	Medical Facility Feasibility Study		\$ 15,000	\$127,858
7/1/09	Transportation Consultant for Rte 44 (½ contract)		\$ 50,000	\$ 77,858
7/1/09	Rental Housing Inspection & Certification Program		\$ 64,000	\$ 13,858
7/1/09	Color Plotter for Planning Dept for GIS Mapping (For large scale presentation maps for use with meetings - primarily with State officials)		\$ 6,000	\$ 7,858

**FUTURE EXPENDITURES OF FY '10 CASINO PRE-PLANNING MONEY:**

Date	Activity	Credit	Debit	Balance
	Total Available as of 7/1/09			\$ 7,858
8/1/09	FY '10 Payment to be Received	\$250,000		\$257,858
11/1/09	DEIS Review - Wetland Scientist		\$ 12,000	\$245,858
11/1/09	DEIS Review - Habitat Specialist		\$ 12,000	\$233,858
11/1/09	DEIS Review - ADE drainage review		\$ 12,000	\$221,858
11/1/09	DEIS Review - LEED Specialist		\$ 17,000	\$204,858
11/1/09	Transportation Consultant ½ contract		\$ 50,000	\$154,858
1/1/10	Recodification of Zoning By-law		\$ 30,000	\$124,858
3/1/10	FEIS Traffic Review		\$ 50,000	\$ 74,858

July 10, 2008

Shawn W. Hendricks, Sr., Chairman  
Mashpee Wampanoag Tribe  
1048 Great Neck Road, South  
P.O. 1048  
Mashpee, MA 02649

Re: Annual Pre-opening Mitigation - Planning Payment

Dear Chairman Hendricks,

It has come to the Middleborough Board of Selectmen's attention that the Town has not received the FY '09 Pre-opening Mitigation - Planning Payment as identified in Section 5.A. of the Intergovernmental Agreement. Said payment should have been received by the Town for the start of the fiscal year on July 1, 2008.

As you are aware, the Town is using this money to fund a full time Staff Planner in the Planning Department to free up the Planning Director (Town Planner) to assist you and the Town with resort related matters. Other staff includes a half-time Planning Department Clerk and half-time Economic and Community Development Director who was previously part time and solely grant funded. The money is also funding an EMS feasibility study and will soon be used to hire a transportation engineering consultant to work with the Town and the Tribe's consultant on major highway planning involving the resort facility and Route 44's reconstruction. Because employee salaries are dependent on the funds, it is imperative that adequate monies are available to pay their salaries on a weekly basis.

Thank you in advance for your attention to this matter. If you have any questions please do not hesitate to contact Ruth McCawley Geoffroy, Planning Director at 508-946-2425.

Respectfully yours,

Adam M. Bond, Chairman  
Board of Selectmen

Cc: Robert Corbett, BLB Development



*Town of Middleborough*  
*Massachusetts*

PLANNING DIRECTOR  
Ruth McCawley Geoffroy

Planning Board

Telephone (508) 946-2425  
Fax (508) 946-1991

**MEMORANDUM**

To: Board of Selectmen  
From: Ruth McCawley Geoffroy, Planning Director *RMG*  
Date: June 9, 2009  
Re: Casino Pre- Planning Funds

**SALARIES:**

The end of the fiscal year is approaching and it is time to encumber the Casino Pre-planning monies for the salaries of Town employees working to mitigate the project for the next fiscal year. Those positions and FY '2010 amounts include:

POSITION	DEPARTMENT	HOURS	SALARY	BENEFITS	TOTAL
Staff Planner	Planning Department	40	\$54,937	\$ 797	\$ 55,734
Junior Clerk	Planning Department	20	\$18,993	\$10,160	\$ 29,153
Director	OECD	35	\$53,872	\$ 4,122	<u>\$ 57,994</u>
					\$142,881

It should be noted that if grant money becomes available to support the OECD Department that position will be reduced respectively, even though Anna will continue to work on planning, economic development and housing matters to prepare the Town for the arrival of the casino.

**Estimated Cost: \$142,881**

**JOHN GLASS (EVERETT) SQUARE AREA - STRATEGIC PLAN:**

Middleborough must prepare for the arrival of a resort/casino by preparing Downtown to remain economically competitive while a casino develops in close proximity, providing adequate housing opportunities and alleviating slum and blight. Therefore it is proposed that the Town solicit qualifications from consulting firms to develop a **Strategic Plan** for the Downtown Middleborough John Glass (Everett) Square /Centre Street Revitalization Area, extending from Oak Street and the former St. Luke's Hospital to Cambridge Street including a redevelopment plan for the former Washburn Mill site.

This strategic plan would be a companion piece to the PWED Grant that the Town has applied for to redesign and reconstruct the Everett Square roadway system, the Oak/Centre Street intersection and the Pearl Street parking lot.

**Estimated Cost:** ≤ \$25,000

#### **MEDICAL FACILITY FEASIBILITY STUDY:**

There is a perceived need for additional local medical care, especially with projected growth over the next 5 to 10 years with the proposed development of a resort casino. The Town desires to assess the future use of the St. Luke's property as a medical facility which will boost economic development in the downtown and to also study other potentially more suitable locations within the Town.

**Estimated Cost:** ≤ \$15,000

#### **TRANSPORTATION DESIGN AND REVIEW ASSISTANCE:**

McMahon Associates, the Town's current traffic engineers, has provided a Scope of Services for representing the Town with respect to the casino's traffic impacts. The work includes preparation of roadway and traffic signal design alternatives; review of all transportation related elements of the proposed resort casino and the related studies and design documents (Draft Environmental Impact Study - DEIS) submitted in relation to the project; and, providing suggestions to the Town to accommodate anticipated traffic volumes and desired vehicular and transit access. Because the DEIS has not yet been submitted and released for public comment, the scope is general with the exact tasks subject to change, however a general outline of tasks has been provided.

It is anticipated that McMahon's services will commence well before the DEIS is available in order to be up to speed on all available and relevant traffic volume and design data for the roads within Middleborough anticipated to be impacted, this includes but is not limited to Route 44. McMahon will also begin evaluation of design alternatives for some of the more critical roads and intersections such as Everett Street/Route 44, Everett Square, the Green and Route 105 (Thompson, East Main and South Main Streets) to actively work with Town representatives on the pro's and con's of various design scenarios. Once the DEIS is submitted there is limited time for the Town and the public to comment on it and we need to be prepared. Also, as a partner with the Tribe in this project, the Town has unique access to influence design decisions being made for the road infrastructure.

**Estimated Cost:** \$100,000 - \$125,000

#### **RENTAL HOUSING CERTIFICATION PROGRAM:**

When the Town Manager, Director of OECD and Planning Director interviewed local officials during our trip to Connecticut the one significant impact on their towns that they all cited from the two casinos located there was the impact of employee rental housing. Although there was not a giant surge in residential construction, there was a change in existing housing occupants as well as a significant surge in conversion of properties to multifamily rental units. The condition and safety of the rental units became a problem as well as the overcrowding and "hotbedding" in the units. Planner Marcia Vlaun in Montville

emphasized how important it was to have the housing stock ready before the casino broke ground and to have the most up to date zoning and housing codes in effect. She said that a Housing Certification and Inspection Program was imperative.

To prepare Middleborough's multifamily housing stock the Health Officer has prepared a proposal to develop a Housing Program which would include development of regulations as well as inspecting and certifying existing and new units. Implementation of this program now would result in all of Middleborough's approximately 2000 rental units being inspected and certified within 2-3 years.

**Estimated Cost: \$64,000**

### **COLOR PLOTTER FOR GIS MAPPING:**

The Planning Department has been actively using the Town's and our own GIS systems to prepare maps and analyze demographic and other geocoded data to support the planning, grants and economic development efforts of the Town in relation to the resort casino. Currently, the only large scale plotter available for printing color presentation size maps is located in the Town Hall. This setup has proven to be problematic in producing these maps in a timely fashion as well as in some cases producing them at all. A major presentation by the Town to the Secretary of Energy and Economic Development was accomplished with a map thrown together at the last minute that was ½ printed and ½ hand drawn because of printing glitches. There needs to be a color plotter in the Financial Office Building for use by Departments located there. Problems using the plotter in the Town Hall include but are not limited to:

- confirming that someone is in IT or arranging to get key afterhours.
- going to IT to confirm map is printing once commands are sent.
- confirm correct version of map is printing
- returning to Bank Building to cancel or correct commands if no printing
- waiting 15-30 minutes at IT for map to print or running back and forth between buildings checking on progress.
- If critical presentation being done, this building to building shuttle could be occurring at any hour of the day or night and is extremely time consuming.

This purchase would be fully coordinated with IT for compatibility and maintenance.

**Estimated Cost: \$6,000 + installation**

### **FUTURE CASINO PRE-PLANNING PROJECTS:**

DEIS Review and Comment:

- Wetland Scientist
- Habitat Specialist
- Atlantic Design Engineers – drainage review
- LEED Specialist

Recodification of the Town's Zoning By-law

- retype, renumber and include all zoning amendments
- Municode, Inc.

FEIS Traffic Review

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8/20/08	GIS Computer Planning Dept		\$ 3,544	
2/2/09	Pinnacle Hotel Feasibility Study		\$ 16,000	
2/2/09	Fort Hill Advisors Growth District Assist		\$ 7,500	
2/2/09	Appraisal Land across from S&S		\$ 5,000	
	<b>Total Available as of 6/9/09</b>			<b>\$310,742</b>

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7/1/09	Transportation Consultant ½ contract		\$ 50,000	\$ 77,858
7/1/09	Housing Program		\$ 64,000	\$ 13,858
7/1/09	Color Plotter for GIS Mapping		\$ 6,000	\$ 7,858

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## Town of Middleborough

### Strategic Plan for Downtown Middleborough John Glass (Everett) Square/ Centre Street Revitalization Area

June 22, 2009

#### I. Introduction

The Town of Middleborough has entered into an Intergovernmental Agreement with the Mashpee Wampanoag Tribe for the development of a Resort Casino in Middleborough. As a result Middleborough is preparing for this event by alleviating slum and blight, providing adequate housing opportunities and preparing the Downtown to remain economically competitive while a casino develops in close proximity. This effort includes but is not limited to rehabilitation of existing multifamily housing, as well as rehabilitation or redevelopment of underutilized and abandoned properties.

The Town of Middleborough, Massachusetts, under the direction of the Board of Selectmen is soliciting qualifications from consulting firms to conduct a **Strategic Plan** for the Downtown Middleborough John Glass (Everett) Square/Centre Street Revitalization Area. This revitalization area extends from Oak Street and the former St. Luke's Hospital to Cambridge Street and the Washburn Mill site.

The purpose of the plan is to assist the Town with better understanding the unique character of this section of the Town's historic downtown and to develop a strategy for Everett Square's revitalization which will be a catalyst for the enhancement of the economic viability of the entire downtown area. The study should assess the development potential of specific properties and buildings in the project area as well as preparing concepts for improving certain related public infrastructure. The plan should identify opportunities for the rehabilitation of existing multifamily housing in the Everett Square area as well as include multifamily housing within the development strategy. Design and planning work should set a standard of quality for future downtown development projects.

#### II. Scope of Work

Specific components of the Scope of Work are as follows:

- Evaluation of the existing business climate.
- Prepare an architectural/historic assessment to identify the unique character of the existing buildings and develop design guidelines to maintain or enhance the historic theme.

- Develop a vision for the reuse of the area with types of potential businesses, housing opportunities, streetscape and architectural components
- Inventory of Town-owned, significant, underutilized and available property in the project area deemed important to the area's revitalization. The compilation should include information that may be useful to the Town when marketing or soliciting interest in the properties.
- Development of a list of reuse options for noted properties, identifying types of commercial uses appropriate for the site(s) and for enhancing overall economic vitality of the area. Include 2<sup>nd</sup> and 3<sup>rd</sup> floor residential units.
- List of multifamily housing which requires rehabilitation.
- Preparation of data that supports findings. This may include descriptions and photographs of projects similar to the subject property.
- Preparation of concept site plans for revitalizing certain parcels and buildings.
- Preparation of drawings showing concepts for public improvements that would promote revitalization of the Everett Square/Centre Street area. (in addition to what Town is proposing for a PWED grant).
- Develop a conceptual reuse plan for the Washburn Mill property, maximizing the property's potential individually and as an anchor to the downtown district.
  - ✓ Recommend the highest quality of building design, whether commercial, residential or mixed use in a manner that is sensitive to and compatible with established architectural traditions in the downtown.
  - ✓ The redevelopment of the Washburn Mill property should be revenue positive and result in an improvement to the quality of life in Middleborough. The Washburn Property site development should enhance the Centre St/ Station St triangle and strengthen its relationship to downtown.
  - ✓ Two scenarios should be presented:
    - ◆ Salvage and preserve the freight house as part of the redevelopment
    - ◆ Raze the freight house for full site development

### III. Eligible Bidders

To be considered eligible for consideration for award, bidders must have professional expertise in consulting services in the medical field, preferably some experience with conducting feasibility studies for municipalities.

### IV. Acceptance or Rejection of Proposals

The Town reserves the right to reject any proposal that, in its judgment, fails to address the objectives in this RFP or which is incomplete or obscure, or which contains irregularities, or in which errors occur. Any fees or other expenses associated with the proposal process are solely the responsibility of parties submitting the proposals and will under no circumstances be reimbursed by the Town.

The Town reserves the right to reject any and/or all proposals when such rejection is in the interest of the Town; to reject the proposal of Bidder who has not met the prerequisites of the bid, who has previously failed to perform properly or complete on time contracts of a similar nature; and to reject proposal of Bidder who is, in the opinion of the Town, not in a position to perform the contract.

The Town of Middleborough is an Affirmative Action/Equal Opportunity Employer and does not discriminate on the grounds of race, color, creed or religion, sex, national origin, age or handicap.

## V. Form of Proposals

### Narrative

Narrative proposals must consist of the following information in the order indicated below:

- Cover letter stating interest in project with signature of duly authorized principal and contact information.
- Technical qualifications.
- Experience with similar projects.
- Experience of key staff personnel assigned to the project.
- Description of the overall approach that will be taken to accomplish the project and timeline.
- 3 references (from similar consulting projects).

### Cost Proposal

- Fee for service (includes all consultant expenses).

## VI. Proposal Submission/Delivery

Respondents should submit:

- ◆ 3 sets of sealed narrative (non-cost) proposal with attachments, one set clearly marked original.
- ◆ 3 sets of sealed cost proposal, one set clearly marked original.

### ***For express mail and hand delivery drop off:***

Town of Middleborough, Office of Economic & Community Development, 20 Centre Street,  
3<sup>rd</sup> Floor, Middleborough, MA 02346.

### ***For mail delivery:***

Anna Nalevanko, Town of Middleborough, Office of Economic & Community Development,  
P.O. Box 490, Middleborough, MA 02346.

Questions or requests for clarification regarding this RFP should be submitted in writing to Anna Nalevanko at [analevanko1@verizon.net](mailto:analevanko1@verizon.net) or via mail at:

Anna M. Nalevanko, Director, Office of Economic and Community Development  
Town of Middleborough, 3<sup>rd</sup> Floor  
20 Centre Street

Middleborough, MA 02346

The deadline for delivery of proposals is ?

## VIII. Evaluation Process

Proposals will be evaluated on two factors that are described below.

**Capacity = 50 Points.** Points will be awarded on the basis of prior experience in performing similar work produced within the previous five years; technical expertise; record of past job performance.

**Project Approach = 50 Points.** Points will be awarded on the approach to work and ability to meet project deadline.

Award will be made (unless all bids are rejected) to the most advantageous proposal from a responsible and responsive offeror taking into consideration the evaluation criteria set forth in this section (bidder receiving the highest number of points) and price.

The Town intends to complete its review of proposals by ?. It is anticipated that the work will be accomplished within a three to four week timeframe from date of award.



## Town of Middleborough

### Request for Proposals: Medical Facility Feasibility Study June 22, 2009

#### I. Introduction

The Town of Middleborough, Massachusetts, under the direction of the Board of Selectmen is soliciting proposals from qualified consulting firms to conduct a *medical facility feasibility study*.

The purpose of this study is to evaluate the opportunity for attracting a medical facility to Middleborough through a market analysis. This analysis will:

- Examine data such as Middleborough demographics, outpatient and in-patient service patterns of residents (what are preferred hospitals? where are clusters of physicians? etc.).
- Determine unmet needs and gaps in service.
- Identify area hospitals/medical groups that are exploring satellite locations and can benefit from the Middleborough location.

In addition the Town is seeking to identify:

- Several suitable locations for a medical facility including the potential reuse of a vacant hospital building in the downtown (old St. Luke's property).
- Type of medical facility/services that would be most advantageous.
- Strategies for determining interest by area hospitals/health groups in a Middleborough site and packaging the potential location and Middleborough assets to market the properties.
- Benefits to the Town – tax revenue, building re-use, etc.

It is expected that these sites also will be evaluated on such attributes as location, physical constraints, parking, surrounding uses, and other relevant factors.

#### II. Background

Middleborough's geographic location of 30 miles north of Providence and 40 miles south of Boston places it in the middle of two cities and in the heart of southeastern Massachusetts. With a total of 72 square miles, Middleborough is the second largest town in area in Massachusetts. The Town has five exits off of I-495 and easy access to other major routes and commercial rail and a commuter rail stop.

The Town of Middleborough supports economic development strategies as prioritized through our Community Development Plan and Board of Selectmen. One potential area for economic growth and to meet resident service needs is in medical services. There are several independent doctors in Town and a medical building with condo units is located on Grove Street (route 28) but there is a perception that local medical care is inadequate.

In the past year, several medical groups have shown interest in locating in Middleborough. For example, one developer sought a downtown location with specific interest in the vacant St. Luke's property since this was an active, known site to residents for medical care. The building owner did not accept their offer. Another medical group explored acquiring property in Route 18.

There is a perceived need for additional local medical care, especially with projected growth over the next 5 to 10 years with the proposed development of a resort casino. The Town desires to stimulate interest in the St. Luke's property as a boost to economic development in the downtown but does not want to restrict this study to one site as there may be more suitable locations for a medical facility.

### III. Scope of Work

Components of the Scope of Work are as follows:

- Meet with Town staff to refine scope and specific work tasks. Staff will provide background information and direction.
- Conduct site/market area analysis.
- Gather demographic/other data, conduct surveys if needed to determine out-patient patterns and medical preferences of residents, and interview relevant persons to obtain a picture of the unmet needs and priority areas of concern.
- Summarize medical groups/hospitals that would have potential interest in a Middleborough satellite location.
- Determine priority medical care/services needed in the community.
- Determine potential suitable locations for a facility.
- Provide strategies for determining interest by area hospitals/health groups in a Middleborough site and packaging the potential location and Middleborough assets to market the properties.
- Present draft findings to Middleborough Town staff and/or Board of Selectmen
- Submit final report (to include priority development sites, types of medical care/services that can be supported, potential benefits to the Town, etc.)

#### IV. Eligible Bidders

To be considered eligible for consideration for award, bidders must have professional expertise in consulting services in the medical field, preferably some experience with conducting feasibility studies for municipalities.

#### V. Acceptance or Rejection of Proposals

The Town reserves the right to reject any proposal that, in its judgment, fails to address the objectives in this RFP or which is incomplete or obscure, or which contains irregularities, or in which errors occur. Any fees or other expenses associated with the proposal process are solely the responsibility of parties submitting the proposals and will under no circumstances be reimbursed by the Town.

The Town reserves the right to reject any and/or all proposals when such rejection is in the interest of the Town; to reject the proposal of Bidder who has not met the prerequisites of the bid, who has previously failed to perform properly or complete on time contracts of a similar nature; and to reject proposal of Bidder who is, in the opinion of the Town, not in a position to perform the contract.

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- Technical qualifications.
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- 3 references (from similar consulting projects).

##### Cost Proposal

- Fee for service (includes all consultant expenses).

## VII. Proposal Submission/Delivery

Respondents should submit:

- ◆ 3 sets of sealed narrative (non-cost) proposal with attachments, one set clearly marked original.
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The Town intends to complete its review of proposals by ?. It is anticipated that the work will be accomplished within a three to four week timeframe from date of award.



McMAHON ASSOCIATES  
300 Myles Standish Boulevard | Taunton, MA 02780  
p 508-823-2245 | f 508-823-2246  
www.mcmtrans.com

May 22, 2009

Ms. Ruth Geoffroy, Planning Director  
Town of Middleborough  
Town Hall Annex  
20 Centre Street  
Middleborough, MA 02346

PRINCIPALS  
Joseph W. McMahon, P.E.  
Rodney P. Plourde, Ph.D., P.E.  
Joseph J. DeSantis, P.E., PTOE  
John S. DePalma  
William T. Steffens  
Casey A. Moore, P.E.

ASSOCIATES  
Gary R. McNaughton, P.E., PTOE  
John J. Mitchell, P.E.  
Christopher J. Williams, P.E.  
John F. Yacapsin, P.E.  
Thomas A. Hall  
Mark A. Roth, P.E.

RE: Transportation Design and Review Assistance for the Proposed Resort Casino  
Middleborough, MA

Dear Ms. Geoffroy:

McMahon Associates is pleased to submit this scope of work for transportation engineering design, planning and review services related to the proposed resort casino and associated infrastructure improvements in Middleborough, Massachusetts. In addition to the scope of work included below, we have provided representative qualifications information for our firm and key selected project staff. We offer the technical expertise and depth of staff experience to provide the Town of Middleborough with the full range of transportation engineering and planning services necessary to complete this scope of work. In addition to our traffic engineering design and planning experience, our projects have included transit planning studies and project management, including intermodal centers, shuttle services, public transit, and commuter rail; parking studies and design, including parking supply and management in downtowns, analyses of shared parking for major developments, assessment of commuter rail parking requirements; and planning and design for parking facilities; and pedestrian and bicycle facilities planning and design.

We are committing the necessary project staff to provide the Town of Middleborough with the necessary experience and staffing levels to meet the needs of this project. I will lead our effort and provide the Town with nearly 18 years of transportation engineering design and planning experience. I have a broad range of experience that has included highway and signal design, transportation planning, traffic engineering studies, transit and parking planning and design, and peer reviews. This project will be my top priority and as a Vice President of McMahon Associates, I will have the ability to draw on the full resources of our 140 person firm to meet the needs of the Town. I have included resumes of key local project staff that will be available to assist on this project.

Based on our knowledge of the project area and discussion with Town Staff, we have prepared the following scope of services. As the resort casino project has yet to file its Environmental Impact Statement (EIS) and numerous elements of the off-site improvements are not yet

defined, the exact scope of services that will be required is subject to change as the project progresses.

### *Scope of Services*

McMahon will provide transportation consulting services to the Town of Middleborough on an as-needed basis. The anticipated scope of services includes preparation of roadway and traffic signal design alternatives, review of all transportation related elements of the proposed resort casino and the related studies and design documents submitted in relation to that project, and providing suggestions to accommodate anticipated traffic volumes and desired vehicular and transit access. While the exact scope of these services is subject to change through the project development phase of the resort casino and proposed infrastructure design, we have outlined the following general tasks:

1. Obtain and review available traffic volume data and studies of roadways and intersections within the Town of Middleborough.
2. Identify key areas of concern in and around the proposed resort casino, including roadways and intersections providing connections between the resort casino site, downtown Middleborough, and the regional roadway network.
3. Conduct preliminary analysis of key intersections based on existing and projected traffic volumes.
4. Develop conceptual design alternatives for key roadways and intersections that will be impacted by the resort casino and coordinate with the Town of Middleborough to present the alternatives to town officials and residents, as appropriate.
5. Advance design plans, as requested, to fully identify construction impacts of alternatives and provide final design plans of alternatives, as appropriate.
6. Conduct a review of the traffic impact study portion of the Draft EIS and all subsequent filings.
7. Review and analyze proposed conceptual traffic mitigation plans and recommend alternative design concepts, as appropriate.
8. Participate in the Town review process, including meetings with Town staff and presentations at public forums.
9. Serve as the Town's liaison to the Massachusetts Highway Department (MHD).
10. Review existing and proposed transit and shuttle services, including the interaction of potential transit improvements associated with the resort casino and the existing commuter rail service.
11. Review site plans relative to access, site circulation, and parking.
12. Conduct detailed design reviews of improvements proposed for Town roadways and conceptual review of improvements proposed on MassHighway roadways.
13. Provide additional transportation-related technical assistance to the Town, as needed, throughout the permitting, design, and construction of Phase I of the resort casino.

14. Provide on-going peer review services, to include some or all of Tasks 1 through 8 above, to monitor the effectiveness of Phase I traffic/transportation mitigation and the future development of Phase II.

Each of these tasks is described in greater detail below.

#### **Task 1 –Traffic Analysis and Roadway Design Services**

McMahon will obtain and review available traffic volume and accident information and previous studies for key roadways likely to be impacted by traffic generated by the resort casino development. We will work with Town staff to identify key routes and intersections that will require improvements to accommodate projected traffic volume increases or experience operational or safety deficiencies under existing conditions. Specific areas of concern are likely to include Everett Street, East Main Street (Route 105), and the Green (East Main Street at Plympton Street, Plymouth Street, and Wood Street). We will perform traffic analysis and develop design plans for improvement alternatives at key locations, as warranted for either existing or projected volumes.

Specific consideration during this task and during the review of the resort casino infrastructure improvements will be given to the Route 44 access design. Assessment of and design considerations for potential access from a grade separated Route 44 at Everett Street or other local roadways will be completed under this task.

#### **Task 2 – Review of EIS Traffic Impact Study**

McMahon will review all technical aspects of the traffic impact study portion of the Draft EIS and subsequent filings. Trip generation rates, project trip distribution, traffic assignments, capacity analysis, internalization rate calculations, and all traffic analysis assumptions and methodology will be checked for accuracy and reasonableness. The following specific tasks will be completed based on the material and information provided in the EIS:

- Obtain a copy of the Draft EIS prepared by the project team, which includes the transportation component and related appendices. We will also attempt to obtain electronic copies of the analysis files to facilitate our review.
- Compile all background information that is relevant to the transportation infrastructure affected by the proposed resort casino. The background material may include prior studies of Route 44 or other study area intersections; specific development traffic impact studies; commuter rail planning studies, and historic traffic count data.
- Review the traffic count data for appropriateness to assess the overall transportation network. We anticipate the proponent will provide traffic volume counts as well as origin-destination data for key study area roadways and intersections.

- Review and supplement the assessment of the existing roadway conditions and their suitability to accommodate projected traffic volumes.
- Review the methodology used and growth rates applied to estimate future no-build traffic conditions, including estimates of future traffic for other known study area developments.
- Review the projected trip generation estimates for the resort casino. We will consider the estimated peak hour levels as well as the trip generation for other times of the day to assess the overall project impacts and determine the appropriateness of the peak time periods assessed in the study.
- Review the projected traffic distribution, and roadway assignments for the proposed resort casino including shared and pass-by trip rates and mode split. We will also assess projected traffic pattern changes resulting from proposed roadway improvements that alter existing access, such as the grade separation of intersections along Route 44.
- Assess the appropriateness of the study area given the anticipated traffic generation and distribution patterns for the resort casino. The assessment of the study area will also consider the effects of proposed roadway improvements that may alter traffic patterns within Middleboro. Based on our current knowledge of the project and the proposed roadway improvements, we have identified an anticipated study area, which is illustrated on the enclosed figure.
- Review the capacity analyses methodology and results for existing, future no-build and build conditions, including projected traffic operations and queuing.
- Assess public transportation access to/from the resort casino site, including existing and proposed transit and shuttle services. This assessment will consider the potential New Bedford/Fall River commuter rail line extension and the interaction of the resort casino and associated roadway improvements with existing and potential future commuter rail station locations.
- Assess proposed bicycle and pedestrian access to the project site and the impacts of the proposed transportation infrastructure on existing pedestrian and bicycle routes.
- Assess potential impacts to school bus routes and access resulting from the proposed resort casino and the transportation infrastructure improvements.
- Review material related to potential future expansion plans for the resort casino site and related impacts.
- Consider traffic impacts during construction of the resort casino and associated infrastructure. Impacts to all study area roadways, including the Route 44 corridor in particular, and the potential for diversions to local roadways will be considered.

### **Task 3 – Review and Analyze Proposed Conceptual Mitigation**

We will review the proposed conceptual traffic mitigation and assess the effect of the mitigation on the surrounding street system and the overall effectiveness of the mitigation plan. The proposed geometry and design of the improvements are to be reviewed as well as the traffic analyses, which form the justification for establishing the effectiveness of the improvements.

We will offer input on the scale of the improvements relative to the proposed site and its consequential impacts. The mitigation process will likely involve a series of mitigation scenarios, and we will participate throughout the mitigation process, including meetings with the proponent's team, Town staff, MassHighway, and public presentations.

Specific mitigation improvements that we anticipate will require assessment and possible modification during this process include aspects of the Route 44 improvement project. Specifically, the consideration of an interchange at Everett Street and possible modifications to the connections to I-495 will be assessed as part of this scope of work.

Many of the proposed mitigation measures will be completed on roadways under the jurisdiction of MassHighway or possibly on roadways beyond the Town of Middleborough. As such, the review of those improvements will be limited to a more general review of the design details. The focus of the review of these improvements will be the projected traffic operations and their impacts on overall site access and the Town of Middleborough's roadway infrastructure, including existing circulation patterns and potential diversions that may result from changes in access to the regional roadways.

Additional review efforts will include the assessment of the need for further mitigation on Town of Middleborough roadways that may be impacted by traffic generated by the resort casino. We will also develop alternative mitigation concepts as appropriate to address the project impacts and to provide acceptable access and operations for the surrounding roadway network.

#### **Task 4 – Participate in Town Review Process**

We will participate in the Town review process for the proposed resort casino or proposed roadway improvements developed under Task 1. Participation at town and board meetings will be provided. We will make presentations at public meetings to present the findings of our review or to facilitate discussions related to transportation infrastructure alternatives. We will meet with the project proponents, their consultants, other municipalities, and MHD to discuss the traffic related aspects of the proposed development, as requested by the Town of Middleborough.

#### **Task 5 – Serve as Town's Liaison to Massachusetts Highway Department**

We will serve as the Town's liaison to the Massachusetts Highway Department (MHD). The site mitigation will involve improvements to state roadways and the improvements will require state approval. We will attend meetings with MHD and represent the Town's interests.

#### **Task 6 – Review Transit and Shuttle Services**

We will review existing and proposed transit and shuttle services. It is expected that the proponent will implement a shuttle service within the project site and potentially to area businesses and transportation centers, including the commuter rail stations. There may also be public transit service provided by GATRA or alterations to the commuter rail system that extends through Town. We will participate in the assessment of the proposed transit system and the interaction with potential alterations to the commuter rail system. These tasks will also include an assessment of existing and proposed parking supply intended to serve any shuttle services or proposed commuter rail facilities.

#### **Task 7 – Review Site Plan Relative to Access and Parking**

We will review and comment on the proposed resort casino site plans relative to the access to the site and the parking areas, including but not limited to the following:

- Geometric design of site entrances and exits.
- Appropriateness of overall parking capacity.
- Design of parking facilities.
- Proposed management of parking areas.
- On-site traffic circulation design, including vehicular (automobile, truck deliveries, and bus transit/shuttle), pedestrian, and bicycle accommodations.

#### **Task 8 – Conduct Design Reviews**

We will conduct detailed design reviews of improvements proposed for Town roadways. The roadway geometry, appropriateness, and effectiveness of the proposed improvements are to be evaluated, as well as the compatibility with the surrounding street network and abutting land uses.

We will conduct conceptual reviews of improvements proposed on MassHighway roadways. It is anticipated that MassHighway will conduct the detailed design review of improvements on their roadways. The effect of these improvements on the local roadway system is to be evaluated by McMahan. In addition, the overall appropriateness and effectiveness of improvements to State roadways will be evaluated at a conceptual level.

#### **Task 9 – Permitting and Construction Phase Transportation-related Technical Assistance**

We will provide additional transportation-related technical assistance to the Town of Middleborough, as needed, throughout the permitting, design, and construction of the resort casino. These services may include, but are not limited to, traffic analysis, conceptual design, design review, coordination, public meeting participation, and construction field reviews.

### **Task 10 – On-going Peer Review Services**

We will provide on-going peer review services following opening of the of the resort casino, including some or all of Tasks 1 thru 9 above, to monitor the effectiveness of the traffic/transportation mitigation. It is anticipated that the proponent will implement a traffic monitoring program following the opening of the resort casino. The monitoring program will be expected to include vehicle volume counts as well as transit usage. We will assess the results of that traffic monitoring program and review any additional mitigation measures or modification of prior mitigation to address deficiencies that are identified through the monitoring program. Also, should the proposed development be presented in multiple phases, we will provide services as described in Tasks 1 thru 9 above relative to any subsequent phase.

#### *Standards and Deliverables*

Design plans, reports, correspondence, and presentation materials will be prepared documenting the results and findings of the tasks identified above. Specifically, all design plans and any findings related to the review of the EIS will be documented in draft format and submitted to Town staff for review prior to finalization. Review material will be provided sufficiently in advance of any review deadline to allow the Town adequate time for review and inclusion of this information in their EIS comments.

All material will be prepared and presented for ease of readability by the average citizen. Materials will be provided in paper and digital format. Reports will include executive summaries. We will work with Town staff to determine the appropriate format for all reports and correspondence.

#### *Fee*

We propose to provide the above services on a time and materials basis. For budgeting purposes, we have provided the following estimate for the initial tasks that are anticipated to be completed through the review of the Draft EIS. With the Draft EIS filing pending, we expect the transportation design, planning, and related review and planning services will begin with a high level of activity as it will be critical to identify the proposed transportation infrastructure improvements early in this process to allow for the design and implementation of the improvements prior to the resort casino opening. We estimate the time and material fees through the review of the Draft EIS will be approximately \$100,000 to \$125,000.

As stated above, the exact scope of services and level of effort from McMahon is uncertain at this time and subject to change. Therefore, the estimated fees could also be subject to change. We will provide the Town with monthly summaries of the work completed and related

Ms. Ruth Geoffroy

May 22, 2009

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expenditures. As expenditures approach the above estimates, we will work with Town staff to determine an appropriate extension of the budgeting timeframe.

**Schedule**

We are prepared to initiate work on this project immediately upon authorization to proceed. Early action items, such as collecting and reviewing prior conceptual designs and traffic studies and gathering of historic traffic count data may begin immediately. The review of the transportation element of the EIS will begin upon receipt of the Draft EIS and will be completed in sufficient time to allow the Town to review our findings and submit comments within the allotted review period. Additional services will be provided on an as needed basis and we will work with Town staff to establish the appropriate schedule for completion of such services.

**Conditions**

The conditions of our agreement call for the execution of this contract in the space provided below with the understanding that invoices will be provided monthly and are payable within 30 days. The fee quoted above is valid for a period of 90 days from the date of this contract. Any changes in the specific work program described above may result in an adjustment in the conditions and fees.

If you should have any further questions or require additional information, please feel free to contact me. We appreciate the opportunity to submit this proposal and look forward to working with you on this truly exciting project.

Very truly yours,

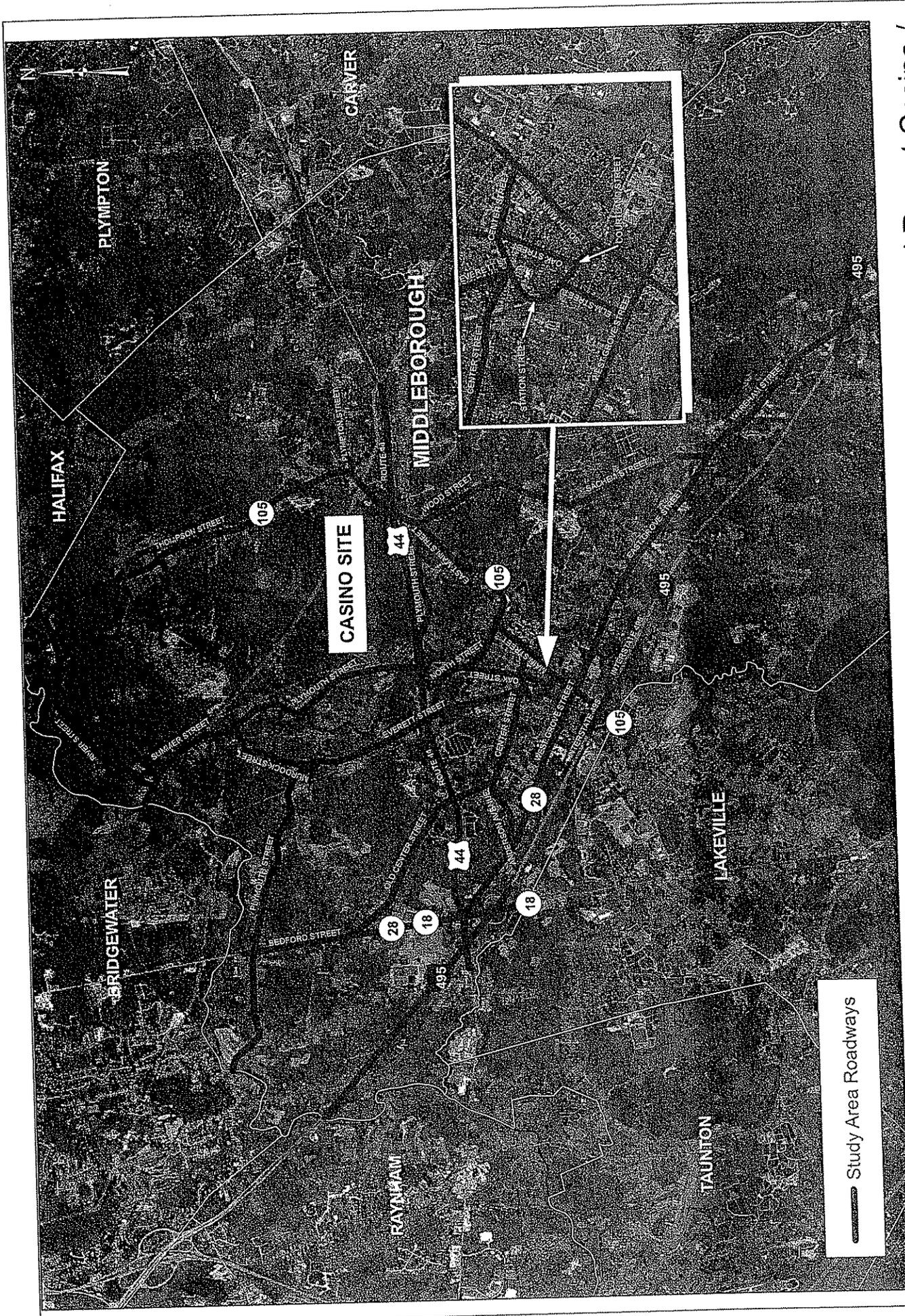


Gary R. McNaughton, P.E., PTOE  
Vice President & General Manager – Taunton

Accepted for Town of Middleborough

By: \_\_\_\_\_ Title: \_\_\_\_\_  
(Signature of Authorized Representative)

\_\_\_\_\_ Date: \_\_\_\_\_  
(Printed Name of Authorized Representative)



Proposed Resort Casino /  
 Route 44 Transportation Review  
 Middleborough, Massachusetts



## **TOWN OF MIDDLEBOROUGH HEALTH DEPARTMENT**

Jeanne Spalding, RS, CHO  
Health Officer  
Hours: 9am-5pm

PH: 508-946-2408  
FX: 508-946-2321

### **MEMO**

**TO:** Ruth Geoffrey, Town Planner

**FROM:** Jeanne Spalding, Health Officer

**DATE:** June 2, 2009

**RE:** Casino proposal impacts

It has been two years since various departments have been asked to identify potential impacts from the planned casino project. The proposed casino will present several issues that may require the services of the Health Department with rental housing being the most significant impact identified to date.

The emphasis of services performed by the Health Department is expected to vary between the construction period as compared to the operational period however, the immediate concerns are rental housing availability, conditions, potential "hotbedding" and property management. Existing rental housing inventory in Middleborough is aging and in many cases, not in compliance with the state housing codes. It is imperative to get the existing available housing identified and up to code prior to the increase in availability of new rentals for the planned workforce associated with construction of the new facility through to full operation.

Meetings with Officials in towns in Connecticut that host or are in close proximity to the existing casinos have confirmed that a housing certification program is a necessary first step in dealing with the housing problems unique to large casino resort areas. A Housing Program must be in place and fully

operational so that safe and adequate housing can be identified for construction workers and for the anticipated long term resort employees.

For immediate consideration, the currently unfilled Health Inspector position is proposed to be restored to develop a housing program. The housing program responsibilities will include:

- Research and develop a housing certification regulation.
- Conduct public outreach and education sessions regarding housing issues, regulations and housing program
- Identify and assess existing rental housing
- Certify existing rental units in compliance with state codes
- Inspect and certify new units as they become available
- Maintain rental unit database
- Research and develop and implement a neglected, abandoned, derelict housing bylaw

It is anticipated that this program will be self funding within a two year period of program implementation. Rough estimates of over 2000 rental units exist. Cost estimates for the inspector to implement the program are \$52,000. salary and \$12,000. benefits.

The Health Dept. will provide necessary equipment and inspection vehicle to perform the duties of this position. The Health Department is requesting funding released from the casino pre-planning funds to cover the costs of this position to implement the housing program as housing was the primary impact identified by this department two years ago.



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# PRICE QUOTATION

Quote Number: 3780739

June 10, 2009

Debbie Franz

Provided by: IPG Public Sector Gr

Contract: STATE AND LOCAL PRICELIST (S&LWEB)

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<b>Group:</b>					
1.	CK839A#B1K	<p><b>HP Designjet T1120 44-inch printerCK839A#B1K</b>            Product - HP Designjet T1120 44-in printer            In the box: - Printer; printheads (3 x 2 colors each); introductory ink cartridges; 44-in stand; quick reference guide; setup poster, Serif PosterDesigner Pro poster; start-up software; power cord            Energy Star® Compliant - Yes            Cable included? - No            Model size - 44 inches            Print Speed - 72 D prints per hour (General); 56 D prints per hour (US D Plain Paper); 30 ft<sup>2</sup>/hr (Glossy Paper); 445 ft<sup>2</sup>/hr (Coated Paper)            Resolution - Up to 2400 x 1200 optimized dpi from 1200 x 1200 input dpi with maximum detail selected            Line accuracy - plus/minus 0.1 percent            Media sizes - Letter to E-size sheets, 11 to 44-in rolls            Media handling - Sheetfeed, roll feed, automatic cutter            Print languages, std. - HP-GL2/RTL, CALS/G4, HP PCL3GUI            Standard paper handling accessories - Input: Roll loading; single-sheet rear tray</p> <p>Output: Basket output tray            Memory (std/max) - 384MB/384MB            Connectivity standard - 1 Gigabit Ethernet (1000Base-T) port; 1 Hi-Speed USB 2.0 certified port; 1 EIO Jetdirect accessory slot            Network-ready - Yes, standard            Compatible Operating Systems - Windows Vista (R) (32 and 64-bit); Windows Server 2008 (32 and 64-bit); Windows XP Home and Professional (32 and 64-bit); Windows Server 2003 (32/64 bit); Mac OS X v 10.4; Mac OS X v 10.5; Novell NetWare 5.x, 6.x; Citrix XenApp; Citrix XenServer            Display - 240 x 160 LCD grayscale 2 bits per pixel            Processor - 800 MHz            Warranty - One-year limited hardware warranty</p>	1	\$5,464.00	\$5,464.00
<b>SUB TOTAL :</b>					<b>\$5,464.00</b>

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Debbie Franz

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Comments: Andre Straughan  
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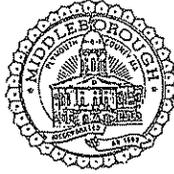
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## Town of Middleborough

### CONSERVATION COMMISSION

June 18, 2009

Joseph Arruda  
Tispaquin Realty Corp.  
1453 Plymouth Street  
Bridgewater, MA 02324

RE: Property off Atwood Avenue (Maps 44, 61D, 61H & 62, Lots 6355, 735, 2492, 3373),  
Middleborough, MA (DEP File # 220-986)

Dear Mr. Arruda,

On June 16<sup>th</sup>, 2009 at 10 am I met with you at the above-mentioned site to see how much more needs to be completed at the site for the project to be finished.

After walking the site and talking with you it seems that the following needs to still be done:

- 1.) The replication area
- 2.) Earth removal
- 3.) Completing bogs and the reservoir/tailwater recovery pond (Also to be flipped from what was originally proposed)

Since the previous Order of Conditions under DEP file # 220-986 expired as of April 10, 2009 a new Notice of Intent will need to be filed to complete the above items. I know at the site visit you agreed to file a new Notice of Intent and I have also spoken with Bill Madden, P.E. of G.A.F. Engineering who is beginning the process to do that. The deadline to be on for the July 16<sup>th</sup> meeting is July 2<sup>nd</sup>.

Also discussed was the need to close out the old file (DEP file # 220-986) with a request for a Certificate of Compliance that states that the work did not get completed under this Order of Conditions and that a new Notice of Intent will be filed.

If you have any further questions regarding this, don't hesitate to contact me.

Sincerely,

  
Patricia J. Cassidy, Agent

For the Middleborough Conservation Commission

Cc: Bill Madden, P.E., G.A.F. Engineering  
Charles Cristello, Middleborough Town Manager  
✓ Patrick Rogers, Middleborough Board of Selectmen Chairman  
Dave Blanton, Middleborough Highway Department