



Edgartown Yellow House Committee Meeting Minutes

AUGUST 8, 2017

I. CALL TO ORDER:

Chris Scott called to order the meeting of the Yellow House Committee at **3:30pm** on **Tuesday, August 8, 2017, at the Edgartown Town Hall Meeting Room.**

II. ROLL CALL:

The following persons were present:

MEMBERS: JAMES CARTER
CAROL FLIGOR
CHRIS SCOTT
GAIL CROTEAU
JIM SHANE
MJ LOOK

OTHER: Margaret Serpa
Bricque Garber (Historic)
Juliet Mulinare (Procurement)

III. OPEN ISSUES:

1. Mr. Scott informed the Committee that Mr. Sisco submitted his resignation to the Board of Selectmen and will no longer be a member of the Yellow House Committee.
2. The Committee addressed the first item on the agenda and reviewed the property division the Selectmen decided on at their August 7th meeting. The Selectmen came to their decision based on the requirements for the Open Space portion of the property. In addition, Ms. Mulinare commented that if the Town wants to maintain control over the design of the Open Space area, it needs to be kept separate from the work to be done on the Yellow House, otherwise the project is subject to the MA construction bid laws and the chosen developer for the Yellow House would need to be certified by the State.
3. The Committee ventured outside to review the property division firsthand.
4. The Committee discussed that an integrated approach to the entire property would be preferable and would allow for more creativity in the Developer's overall approach, however, this will not be a *requirement* of the RFP.
5. The Committee discussed the minimum threshold criteria and comparative criteria offered by Ms. Mulinare for initial consideration. Ms. Look commented that it could be useful to include "experience with Town boards and permitting processes" as either a minimum criteria or a comparative criteria, as that will be a large part of the first phase of the work. Mr. Scott agreed and suggested use of the Town's RFP for the Carnegie Building as a reference for the wording to be used.

6. Mr. Shane offered a concern that if the RFP included an advantage for local developers, it might discourage the offering of a great plan from someone off island. Ms. Croteau commented that a condition of this nature would be more appropriate as a comparative criteria, as opposed to a minimum threshold criteria. Mr. Scott offered his experience with an off island contractor during the construction of the library, and stated that the project took months longer than it should have due to the contractor's inexperience in working on the island. Ms. Fligor commented that every proposal needs to be considered, even if it does not present as grand from the start; ideas should be given room to grow.
7. Ms. Croteau suggested that a comparative criteria with a Highly Advantageous rating for experience working on the island covers the issue without precluding off island proposers.
8. Mr. Scott reminded the Committee that there will be a narrative included in the RFP that will serve to clarify many of the ambiguities being discussed.
9. The Committee discussed specific elements of the draft comparative criteria.
10. Mr. Scott reminded the Committee that all emails sent are public record and should be sent to all members of the Committee, as well as the advisors.
11. The Committee discussed the applicability of requiring the proposer to have municipal references; this demonstrates an ability to work with Town boards and a developer's familiarity with the nuances of municipal contracts. Mr. Scott stated that experience with a public entity is always relevant to the success of a public project.
12. Ms. Fligor inquired about the term "Developer" and whether the idea is to have one entity reconstruct the building and also be responsible for acquiring tenants. Mr. Scott clarified that any responder to the RFP will be responsible for delivering a completely rehabilitated building and subsequently managing the use of the building and all tenants. He further stated that the Selectmen do not want to be involved in any managerial decisions; use of the building will fall to the ZBA if changes are needed in the future.
13. Mr. Carter expressed a concern that the RFP process will be too restrictive and/or demanding to entice developers to submit proposals. Mr. Scott inquired as to what might be too restrictive. Mr. Carter stated that there is a plethora of information that needs to be compiled in order to conform to the submission requirements. Mr. Scott explained that it is complicated doing business with government bodies, but those complications are necessary protections for the Town.
14. Mr. Carter inquired about the renewal terms for the lease being offered. Mr. Scott said these terms still need to be considered and the Committee will have to consult legal for the final determination of the lease terms.
15. Ms. Look inquired about the payment of property taxes and who would be responsible for these, if they are a factor.
16. Mr. Scott commented that the initial draft of the comparative criteria is a good starting point; the language will have to be tweaked in some areas and additional clarification will be necessary in others. For example, instead of "Readiness to Proceed" perhaps the criteria should read "Proposed Schedule for Submittals". Ms. Mulinare told the Committee that anything can be re-worded to the preferences of the Committee. The Committee discussed how to ask the developer to define the timeframe for the work, noting that construction is not allowed downtown from May 15 through September 15.
17. The Committee also discussed the wording to be used for the Historic requirements of the project, as well as the permitting that will be required.

18. Mr. Scott would like to see the history of the Yellow House, a document drafted and provided by Ms. Garber, included as an attachment to the RFP.
19. Ms. Croteau commented that the term “high quality materials” is not a measurable term and should be modified. Mr. Scott suggested the use of “historically accurate materials” in lieu of ‘high quality’ and the Committee agreed.
20. The Committee discussed what an appropriate advertising period would be to give responders adequate time to prepare proposals. A period of at least 6-8 weeks was suggested and accepted.
21. The Committee asked Ms. Mulinare to put together a working draft of the RFP for the next meeting. She agreed but stated that the terms of the lease would have to come from legal.
22. The Committee discussed an appropriate time to hold a public forum to invite comments and questions from the general public. They decided on Wednesday, August 23, 2017 at 4:00pm in the Selectmen’s meeting room.
23. The Committee discussed a request from a potential responder to access the inside of the property before the RFP is issued. It was determined that this is not an option for anyone. The RFP will offer at least two site visit opportunities, as well as a pre-bid conference, at which time developers will be able to enter the building and ask questions. There will not be any access to the building prior to those times due to liability issues as well as the obligation to maintain an even playing field for all potential responders.
24. Mr. Scott will draft a short narrative and send to Ms. Mulinare to be included in the first draft of the RFP for the next meeting.
25. Motion placed on the floor by Mr. Shane to accept the meeting minutes from the 8/1/17 meeting. Mr. Carter commented that he is listed as present but was not at the meeting. Ms. Croteau seconds the motion. No discussion, vote taken and passed unanimously with the condition that Mr. Carter’s name be listed as ‘absent’.
26. Mr. Scott adjourned the meeting at 5:00pm.

Minutes submitted by: Juliet Mulinare