

REQUEST FOR PROPOSALS: LEASE OF 5 NECCO STREET NON-PROFIT SPACE

This Request for Proposals (“RFP”) seeks a qualified non-profit organization to lease and activate approximately 4,750 square feet of gross floor area (the Premises) located on the first floor of the building known as 5 Necco Street in the Fort Point Channel neighborhood of Boston (“5 Necco Street”). The selected user (“Tenant”) will be expected to operate and activate the Premises in a manner that will provide an active destination for the public and enhance public enjoyment of the nearby Fort Point Channel waterfront. The Tenant is required, pursuant to the Massachusetts General Laws Chapter 91 license issued for 5 Necco Street, to provide “active programming and year-round day and evening events at the 5 Necco Street property.”

This RFP is issued by ARE-MA Region No. 72, LLC, as the owner of the 5 Necco Street building (“Landlord”), in consultation with the Boston Planning & Development Agency (“BPDA”) and the Mayor’s Office of Arts and Culture (“MOAC”).

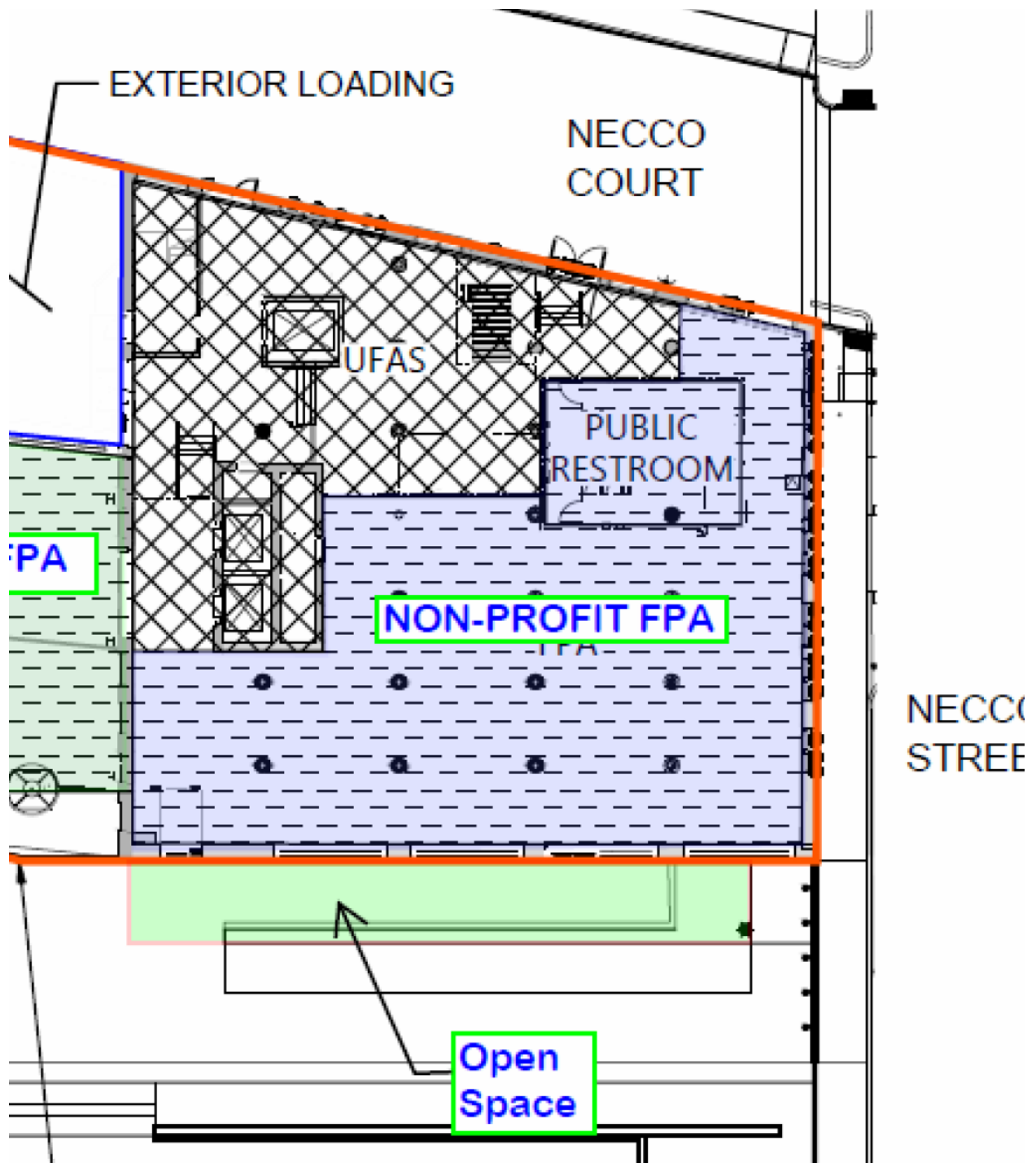
This document describes the Premises to be leased, the qualifications for the Tenant to be selected, and the selection criteria. Respondents must submit a written application consistent with the information requested in this RFP. Working in consultation with the BPDA and MOAC, the Landlord will review applications to determine potential Tenant qualifications and evaluate applications’ consistency with the requirements set forth in this RFP. The Tenant will be selected by the Landlord.

A. The Premises

The Premises consists of approximately 4,750 square feet of gross floor area on the southeast corner of the first floor of the 5 Necco Street building. 5 Necco Street is a renovated former historic warehouse building that now houses offices and other uses on its upper floors. The entrance to the Premises is off an open air plaza that exists between 5 Necco Street and the 15 Necco Street building, which is an office/life sciences building that houses the new Lilly Seaport Innovation Center, as well as ground floor Facilities of Public Accommodation, including a Public Work Lounge, a Touchdown Space, and public restrooms (a café is to open in 2025).

More than one organization with related or complementary missions may submit a single application in response to this RFP and propose to subdivide the Premises, but both Tenants must meet the organizational and use criteria set forth in this RFP. The cost of any such subdivision of the Premises would be required to be borne by the Tenants and undertaken pursuant to plans and specifications approved by the Landlord.

The Premises are shown on the following floor plan:



The Premises will be leased in their “as is, where is, with all faults” condition, without any obligation on the part of the Landlord to prepare the same for occupancy other than the following work, which will be (or in some cases, has already been) undertaken at the Landlord’s cost (collectively, such work is referred to in this RFP as the “Landlord’s Work”):

- Installation of demising walls creating the Premises, painted with a standard finish (completed);
- Two bathrooms inside the Premises which meet accessibility standards (completed);
- Installation of heating, ventilation and air conditioning system and related controls;
- Installation of electrical service (completed) and general lighting;
- Installation of topping slab and finished surface;
- Installation of interior partition walls; and
- Installation of outside doors to the Premises (completed).

Other than the Landlord’s Work, all work that is necessary or deemed desirable by the Tenant to prepare the Premises for the Tenant’s particular occupancy shall be performed by or on behalf of the Tenant at its sole cost and expense. All such work shall be undertaken pursuant to plans and specifications that are approved by the Landlord. The Tenant shall be required to obtain all governmental permits/approvals necessary for its fit-out of the Premises and operation of the same (unless such work is undertaken in conjunction with Landlord’s Work). Exterior signage for the Premises shall be as mutually agreed by the Landlord and the Tenant, and will be subject to the approval of all applicable governmental agencies (including the BPDA and the Fort Point Channel Landmark District Commission, as the 5 Necco building is located within the City’s Fort Point Channel Landmark District). All such signage must also be consistent with the governmental-approved overall signage plan for the 5 Necco Street building and designed to make the public aware of the availability of this Facility of Public Accommodation space, including the public restrooms therein (as discussed in Section C below).

B. Qualifications for Prospective Tenant

A qualified Tenant must be a not-for-profit organization that is in good standing with the Commonwealth of Massachusetts and the Office of the Massachusetts Attorney General Public Charities Division and have 501(c)(3) status from the U.S. Internal Revenue Service. Such organizational good standing and IRS status must be maintained throughout the term of the Lease.

The governmental permits and approvals secured for the 5 Necco Street building require that the Premises be used as a “Facility of Public Accommodation” (“FPA”), as that term is defined in the regulations governing Massachusetts General Laws Chapter 91 (the “Waterways Regulations”). The Waterways Regulations define an FPA as follows:

“a facility at which goods or services are made available directly to the transient public on a regular basis, or at which advantages of use are otherwise open on essentially equal terms to the public at large . . . rather than restricted to a relatively limited group of specified individuals.”¹

FPA’s include restaurants, performance spaces, retail spaces, educational, historical, or cultural institutions/spaces open to the public, and other interior spaces dedicated to the programming of community meetings, informational displays, or other public activities. *It should be noted that office uses do not constitute FPA’s, although some accessory office use is permitted.*

Only uses that will comply with the Waterways Regulations will be considered for the Premises.

¹ See <https://www.mass.gov/doc/310-cmr-900-waterways-regulations/download>.

C. Lease Terms

The Landlord will lease the Premises to the selected Tenant or Tenants for an annual triple net rent of Ten Dollars (\$10.00) for an initial lease term of no longer than ten (10) years. The Lease will contain a renewal option contingent upon the Tenant's compliance with the terms of the Lease, including the activation and operation of the Premises as a Facility of Public Accommodation, consistent with the Waterways Regulations and the Chapter 91 license for 5 Necco Street.

Under the Lease, the Tenant will be responsible for the following:

- day-to-day maintenance of the Premises;
- Tenant's insurance (Tenant will be responsible for all risk property insurance with business interruption and extra expense coverage, covering the full replacement cost of all property and improvements installed or placed in the Premises; workers' compensation insurance as required by Massachusetts law; employer's liability insurance; and commercial general liability insurance at Landlord's standard coverage limits);
- trash removal costs and water and sewer charges incurred by the Landlord and attributable to the Premises; and
- utilities serving the Premises (*i.e.*, electric, gas and telecommunications).

The cost of utility service for the Premises shall be paid by the Tenant directly to the utility provider or reimbursed to Landlord on a pro rata basis in cases where such utilities are provided to the 5 Necco Street building as a whole or to the larger ground floor space of which the Premises are a part (*e.g.*, electricity, water and sewer service).

The Tenant shall be solely responsible for all costs associated with the programming, operation, and activation of the Premises, including staffing, special events, etc.

The subleasing of the Premises, or the assignment of the Lease to a third party will not be permitted without the prior written consent of Landlord (and any such third party would be required to be a 501(c)(3) non-profit organization and suitably qualified to lease, activate and operate the Premises as a Facility of Public Accommodation). The Landlord has committed to consulting with the BPDA and MOAC with respect to any such subleasing or assignment request. The programming and use of the Premises (or any portion thereof) by any approved subtenant or assignee of the Tenant must meet Waterways Regulations requirements for FPA's.

The Lease will set forth the requirements for the Tenant's operation of the Premises, including minimum daily days and hours of operation and the provision of an annual business plan illustrating planned activation and operation of the space (days and evenings) and compliance with the Waterways Regulations. The Lease will require that Tenant make the already-constructed, universally accessible restrooms at the Premises available to members of the public, free of charge, during the hours of operation of the Premises, except when such use would interrupt performances at the Premises, and

otherwise comply with the applicable provisions of the Chapter 91 license issued for the 5 Necco Street building. There will be exterior signage on the building installed by the Landlord, making the availability of such public restrooms known to members of the public, as required by such Chapter 91 license.

It should be noted that portions of the plaza and open space areas around the 5 Necco Street and 15 Necco Street buildings will be available for arts and other programming in order to further enhance activation of the Fort Point Channel waterfront and provide public amenities. Such areas are owned by the owner of the 15 Necco Street property and any such events, performances and/or installations would be subject to approval by and coordination with the owner of 15 Necco Street. (Such owner is currently an affiliate of the Landlord.)

D. Tenant Evaluation

The Landlord shall review each response to this RFP to determine whether the respondent has met the eligibility criteria set forth in Section B above and demonstrated that it has the required experience, financial strength, and programmatic qualifications to operate the Premises as set forth in this RFP. The Landlord will be consulting with the BPDA and MOAC during this process.

Responses must include the following elements:

- Programming & Activation Plan: A clear and demonstrated program for regular business operations that will attract the public and activate the Premises, and a proposed schedule for the first year of curated events and hosted third-party (non-commercial) events.
- Consistency with Waterways Regulations: A discussion of proposed compliance with the Waterways Regulations and the Chapter 91 goals and values, including specifics with respect to consistency with the Waterways Regulations' definition of Facility of Public Accommodation.
- Organizational Strength: Capability and experience of staff with proven leadership, relevant experience with respect to public activation activities, history and references; organization's demonstrated ability to undertake public programming and events.
- Leadership: Clear commitment to operate the Premises successfully as a Facility of Public Accommodation.
- Financial Capability: Ability to fit-out the Premises for the proposed uses and pay for year-round operating costs, and to sustain robust programming. Proven fundraising track record from philanthropic, governmental, and/or other sources.
- Employment: Enhancement of employment opportunities for Boston residents and procurement opportunities for from local, women-owned and/or minority-owned businesses.
- Synergy: Ability to work with other tenants at 5 Necco Street and 15 Necco Street, as well as local area and other organizations in creating an exciting venue in the Fort Point Channel neighborhood.

The Landlord reserves the right to reject any or all applications received; written acknowledgements will be provided for each application. Applications will not be reviewed which propose to lease less than the Premises, and the provision of a response to this RFP shall be deemed to mean the respondent agrees to the Lease terms and conditions outlined above in Section C of this RFP.

E. Anticipated Tenant Selection Process and Schedule

Question and Answer Period; Premises Tours:	1/13/2025 – 3/1/2025
Deadline for submission of Responses:	3/31/2025
Landlord review of submissions and consultation with MOAC, BPDA:	4/1/2025 - 6/1/2025
Supplemental information requests sent to selected respondents:	7/1/25
Supplemental information provided by respondents per Landlord request:	8/15/2025
Landlord review of Supplemental Information from selected respondents and additional consultations with BPDA, MOAC:	8/15/2025-10/15/2025
Selection of Respondent:	11/15/2025

Negotiation and execution of the Lease will follow (Lease draft to be provided by Landlord.) Please note that the Landlord reserves the right to reject any or all of the RFP responses, and to adjust the schedule set forth above, at its discretion.

F. RFP Responses

Responses to this RFP must include the following information:

1. Organizational Structure:
 - a. Organization’s name, business address, contact information, and website address (if applicable).
 - b. A copy of each of the following:
 - i. Copy of Massachusetts Articles of Organization (as amended, if applicable);
 - ii. 501(c)(3) tax-exempt determination letter from the U.S. Internal Revenue Service;
 - iii. Certificate of Good Standing from the Massachusetts Secretary of State’s office; and
 - iv. 2022 Form PC and 2022 Uniform Financial Statements and Independent Auditor’s Report filed with the Massachusetts Office of the Attorney General, Non-Profit Organizations/Public Charities Division.
 - c. List of the current officers and directors of the organization and principal staff members.
2. Description of Proposed Program for Use of the Premises:

- a. A detailed description of:
 - i. Proposed use and program.
 - ii. Qualification of Tenant & proposed uses as they relate to the Waterways Regulations and key objectives of the Lease.
 - b. Address each criterion for evaluation.
 - c. Describe the organization's mission, including a summary of the target user groups and the relationship of the proposed program & services to be provided at the Premises, and the organization's historical operations over the last 5 years.
3. Planning – Business & Financial:
- a. Business Plan: Detailed planning including operations, strategy, staffing, management, administration, and marketing, and other pertinent aspects of the business.
 - b. Financial Background: Provide evidence of financial strength and ability to meet required upfront capital and ongoing economic terms of the Lease, as well as a detailed budget with sources and uses of funds analysis for the initial years of operation. Provide audited financial statements for the past three fiscal years of the organization.

The Landlord shall not have any financial responsibility for the preparation of RFP responses.

G. Contact Information

For questions or specific requests for additional information, please contact:

Michelle Lower, Alexandria Real Estate Equities, Inc., MLower@ARE.com

or

Naomi Mayeux, National Development, nmayeux@natdev.com.