

City of Old Town

Request for Proposals – Sale of Property

Jefferson Street School

The City of Old Town, Maine is soliciting proposals from parties interested in purchasing its real property, the former Jefferson Street School (Henceforth referred to as Jefferson School in this document). Presently, the Jefferson School building is vacant. The property is 2.86 acres, more or less, and is located at 21 Jefferson Street, Old Town. The zoning district for this property is General Residential Commercial/Business C-1. The property is identified on the City Assessor's Records as Map 021 Lot 068. The terms and conditions of the Request for Proposals ("RFP") are as follows:

Proposals are due at the City Manager's Office, 265 Main Street, Old Town, ME 04468, by **2:00 PM, on Wednesday, August 1, 2018**. Proposals received after this deadline will not be considered. Those interested in obtaining further information regarding the property may contact Ron Harriman, Economic Development Director, through email at ronharriman5@gmail.com, or by phone at 207-947-8595. The successful proposer shall be required to enter into a Purchase and Sale Agreement.

Any person wishing to withdraw a proposal shall do so in writing before the due date and time for receipt of proposals. The City reserves sixty (60) calendar days after opening the proposals within which to make a selection and may require one thirty (30) day extension to complete the selection of a proposal and resultant transaction. Respondents to the RFP shall agree, by and in the submission of the proposal, to hold the terms of their submission for up to a total of sixty (60) days from the due date and time for the submission of proposals.

The City is not responsible for any costs incurred by proposers in preparing, submitting, or presenting proposals. All proposals, responses, inquires, and correspondence related to this RFP and all documents provided become the property of the City upon receipt.

The City of Old Town makes no representation or warranties express or implied as to the accuracy and/or completeness of the information provided in this RFP. This RFP, including all Exhibits and supplements, if any, is made subject to errors or omissions, withdrawal or cancellation without prior notice, and changes to, or additions to, same.

The City of Old Town reserves the right to reject any and all proposals, in whole or in part, to waive any informality, or to allow a proposer to correct any informality to the extent allowed by law if deemed to be in the best interest of the City.

SECTION 1
Instructions to Proposers:

Parties interested in purchasing the parcel described in the RFP shall submit their response as follows:

1. The purchase proposal submission shall consist of one original and five copies of the proposal placed in a sealed envelope clearly marked as the “Jefferson School Purchase Proposal”.
2. Proposers must acknowledge, in writing, their receipt of any addenda and submit with a written acknowledgement with their sealed proposals.
3. Proposals shall be submitted to: **City Manager’s Office, 265 Main Street, Old Town, ME 04468.**

All matters related to this sale and this proposal shall conform to the requirements of the RFP. The proposal shall address each of the items set forth in this RFP in order to be considered responsive. It shall be accompanied with letter of committal, signed by an individual authorized to enter into contracts on behalf of the proposer. The letter of committal shall state that the offer is effective for a minimum of sixty (60) calendar days from the deadline for the submission of proposals and shall provide for up to one, thirty (30) day extension.

The City has determined that the selection of the most advantageous offer requires evaluation of factors in addition to and other than price. The City Council shall review the evaluation criteria and evaluate proposals in a manner consistent with the terms and conditions of this RFP and make the selection based on the proposer’s responsiveness to the requirements and conditions described in this RFP, the response to the evaluation criteria, the proposer’s overall capabilities and experience, financial stability, and the proposed price.

If the proposer has any questions about the property or the terms contained herein, such questions shall be directed to Ron Harriman, Economic Development Director, through email at ronharriman5@gmail.com, or by phone at 207-947-8595, by **July 23, 2018**.

SECTION II

Property Information and Scope of Proposal

The City is seeking to sell the former Jefferson School building through a Request for Proposal (RFP) process. The parcel consists of a vacant building situated on an approximately 2.86 acres, more or less, and is located at 21 Jefferson Street, Old Town. The property is identified on the Old Town Assessor's Records as Map 021 Lot 068.

Hazardous building materials, universal and hazardous waste have been abated/removed from the building; there is the potential that contaminated surficial soils remain onsite. These impacted soils must be managed appropriately during construction, appropriate health and safety measures must occur, and appropriate waste characterization sampling must occur if any excess soils are generated and transported offsite. Work may need to be performed in accordance with a soil management plan, and soil cover systems may be required if soil/pavement disturbance occurs. The City of Old Town is preparing a soil management plan that would help site developers.

Subject to the terms and conditions of this RFP, individuals or corporations interested in purchasing the property shall submit a proposal with executed originals of the documents required by this RFP.

Within thirty (30) days of being selected, the successful proposer shall sign a Purchase and Sale Agreement.

Prospective respondents may attend a non-mandatory, pre-bid conference and inspection scheduled for **Wednesday, July 18, 2018, at 10:00 AM**, at the subject location. The City makes no warranty or guarantee of the condition of the property or its fitness for any particular purpose or use and is selling the property in an "*as is*" condition.

By signing and submitting a proposal, each proposer acknowledges that it has made a careful study of the RFP, incorporated documents, and the property, and has fully assured itself as to the conditions of the property offered. By signing and submitting its proposal, the proposer agrees to all the terms and conditions of this RFP.

Proposals shall be submitted to the **City Manager's Office, 265 Main Street, Old Town, ME 04468** by **2:00 PM, on Wednesday, August 1, 2018**, immediately after which said proposals will be opened. The City will not consider any proposals submitted by email, by facsimile, or submitted in any manner after the deadline. No proposal may be amended or withdrawn after the submittal deadline. Proposals determined to be incomplete, not properly endorsed, or otherwise contrary to these instructions, may be rejected. The City will not accept conditional proposals, except as specifically expressly allowed by this RFP.

Bid Bond

At time of the proposal, the proposer shall submit a duly executed, original bid bond equal to 5% of the proposed purchase price, or \$5,000, whichever is greater. Bonds shall be issued by a surety company authorized to transact business in the State of Maine. Alternatively, the proposer may submit a certified check made payable to the City of Old Town equal to 5% of the proposed purchased price, or \$5,000, whichever is greater. Personal checks are not considered an acceptable form of a bid bond.

If the successful proposer withdraws its proposal, fails to make payment in full as set forth herein, fails to execute the required documents, or otherwise fails to reasonably cooperate in the conveyance of the property as required by this RFP or by applicable law, then the bid bond or certified check as applicable shall be forfeited to the City of Old Town.

The City will return the bid bond of those applicants whose proposal is rejected by the City upon signing a Purchase and Sale Agreement with a successful proposer.

References

All proposers shall identify all real properties which they have developed during the past five (5) years. The City is particularly interested in, and will give preference to, proposers with at least five (5) years of experience in development of projects of similar size. Proposers shall include on such list the address of each property, the dates on which each property was purchased, a description of the development project, and at least one reference with thorough knowledge of the project and the proposer's work in connection with the project.

The funding sources for the proposed project, including reference for same, shall be identified in the response to this RFP, including in response to evaluation criteria set forth below shall be identified specifically, so that the City, by its designee(s) may conduct an appropriate investigation.

The City may contact any and all such references, and others about which the City learns, and may use the information obtained to determine whether the proposer is responsible, and otherwise has the capacity, commitment, and experience to comply with the requirements of this RFP.

Experience

For any project submitted, the proposer shall have at least five (5) years of experience in development consistent with the nature of the proposed project. If the project involves rental housing which the proposer intends to manage, the proposer shall have at least five (5) years of experience in the successful development and management of rental housing and shall include a list of all properties and addresses currently under its management. The proposer shall have no outstanding violation notices related to any of its properties from the applicable building, zoning, health departments, fire department, or other state federal or municipal enforcement agencies in the community where the development is located.

Minimum Conditions for Sale

Each proposer, at a minimum, shall comply with the following criteria, and any proposer failing to so comply shall not receive further consideration:

1. Proposals shall be held open and firm for a period of not less than sixty (60) days from the date submittals are due and shall include one thirty (30) day extension.
2. All proposers shall submit a list satisfying the requirements set forth for "**References**".
3. All proposers shall submit a duly executed original bid bond or certified check made payable to the City of Old Town equal to 5% of the Proposed Purchase Price, or \$5,000, whichever is greater.
4. The successful proposer shall state that any structure, equipment, activity, and/or use of any kind of nature shall comply with applicable federal, state, and local laws, including but not limited to all applicable local permits, approvals and licenses including meeting

- the legal requirements to obtain all the necessary building permits, licenses, and zoning relief to construct the project.
5. All proposers shall submit a written proposal in the form of a conceptual plan setting forth the plan for the use of this property. At a minimum, it shall include the proposer's short term plan to maintain the property, as well as the proposed number, size, and type of commercial and/or residential units to be developed.
 6. The buyer shall, at buyer's own expense, be solely responsible for obtaining and paying for any and all permits, licenses, appeals, and demolition costs, if necessary, to enable it to comply with and obtain all permits to construct, use, and occupy the property for the purposes described in the proposal.
 7. Any other terms and conditions as are described in the Purchase and Sale Agreement or as the proposer may propose the Purchase and Sale Agreement be modified.

Financial Stability

Proposer shall identify all proposed funding sources to be utilized for the purchase and development of the building. The documents submitted shall demonstrate that the proposer has sufficient assets available, or access to sufficient credit, to acquire the property and to complete the maintenance of the building in the timeframe proposed. The proposer shall submit a plan for securing all necessary financing to complete the project as proposed.

Proposer shall have no current past due debt obligations to the City of Old Town or any other municipality in which the proposer owns property.

Evaluation Criteria

Each proposal will be reviewed for completeness, responsiveness, and compliance with the general requirements of the RFP by City staff. Additionally, each proposal shall address all of the elements of the RFP, including the minimum evaluation criteria. Proposals will receive a rating for each evaluation criterion that will then be used by the City to determine a composite rating for each of the proposals with regard to the RFP criteria. If the proposal does not satisfy the requirements of this RFP, it shall be deemed unacceptable. The City will make a selection based on the proposer submitting the most advantageous proposal, taking into account the price **AND** the following evaluation criteria:

1. Proposals which have secured all financing necessary to acquire the property and to maintain the building in the timeframe proposed with verification of these financing sources, and who have a well-organized, financial plan for securing all necessary financing to complete the project shall be deemed *Highly Advantageous*.
2. If the project plan and business plan (1) provides for a high percentage of market rate residential units or commercial space, or a mixture of the two; and (2) provides for the renovation of the existing building and preservation of the historic features of the building; and (3) results in a use which, in the opinion of the evaluation committee, provides a positive socioeconomic impact to the neighborhood and the City, it shall be deemed *Highly Advantageous*.
3. If the project conceptual plan and business plan (1) provides for a moderate percentage of market rate residential units or commercial space, or a mixture of the two; and (2) provides for design renovations to enhance the building's exterior and the site in a manner that preserves its historic context and appearance; and (3) results in a use which, in the opinion of the evaluation committee, will provide an economic benefit for the City, an example of which would be new tax revenue, it shall be deemed *Advantageous*.

4. If the project conceptual plan and business plan (1) provides for a low percentage of market rate residential units or commercial place, or a mixture of the two; and (2) provides for design renovations to bring the building up to code; and (3) results in a use which, in the opinion of the evaluation committee, will provide an economic benefit for the City, an example of which would be new tax revenue, it shall be deemed *Acceptable*.
5. If the project conceptual plan and business plan provides for residential units and none of which are market rate units, this shall be deemed *Less Favorable*.
6. If the project conceptual plan and business plan is not taxable or does not provide assurances for building preservation, it shall be deemed *Unacceptable*.
7. Projects in which the proposer demonstrates successful experience in rehabilitation and/or new construction of projects of a similar scope and size, possesses all the necessary licenses and qualifications to perform such work, and has already prepared preliminary plans will be considered *Highly Advantageous*.
8. Projects in which the proposer can demonstrate successful experience in rehabilitation and/or new construction for projects of similar scope and size, possesses all the necessary licenses and qualifications to perform such work, but has not yet prepared preliminary plans will be considered *Advantageous*.
9. Projects in which the proposer has contracted with or can demonstrate prior consultation with a qualified builder or an architect will be considered *Acceptable*.
10. No experience with similar project, as proposed will be considered *Unacceptable*.