



Request for Proposals

Property Purchase and Redevelopment

**994 and 1010 Roswell Street
Marietta, GA**

PROPOSAL NUMBER RFP-15-036263



**CITY OF MARIETTA, GEORGIA
DEVELOPMENT SERVICES DEPARTMENT
OFFICE OF ECONOMIC DEVELOPMENT
Released July 18, 2014**

Contents

Overview

Section 1: Instructions to Proposers

- 1.01 Introduction
- 1.02 Proposal Submission Deadline and Opening
- 1.03 Proposal Quantities and Pricing
 - 1.03.1 Sealed Proposals
 - 1.03.2 Pricing for Proposal
- 1.04 Proposal Reservations
- 1.05 Liability
- 1.06 Changes/Alterations
- 1.07 Clarification of Submittals
- 1.08 Proposer Questions and Inquiries
- 1.09 Use of Name
- 1.10 Bribery Clause
- 1.11 Extensions
- 1.12 Compliance with City, State and Federal Laws and Permit Requirements
- 1.13 Licenses and Permits and Taxes
- 1.14 Final Contract with Successful Proposer
- 1.15 Assignment and Subcontracting
- 1.16 Indemnification

Proposal Form Cover Sheet

Section II: Project Description

- 2.01 Project Background
 - 2.01.1 History of the Property
 - Map 1: Project Location
 - Map 2: Project Boundaries
 - Existing Conditions
- 2.02 Redevelopment Objectives
- 2.03 Proposal Format and Contents
 - 2.03.1 Statement of Project Understanding
 - 2.03.2 Conceptual Plan
 - 2.03.3 Project Approach
 - 2.03.4 Proposed Contract for Purchase
 - 2.03.5 Additional Items

- 2.03.6 Qualifications and References
- 2.03.7 Evidence of Financial Capability to Undertake the Project
- 2.04 Deed of Conveyance
- 2.05 Survival
- 2.06 Confidentiality
- 2.07 Property Transfer Date
- 2.08 Substantive Nature of Proposals
- 2.09 Evaluation and Selection Process
 - 2.09.1 Highest Responsible Bidder
 - 2.09.2 Proposal Evaluation Process

Section III: Appendix

- 3.01 Exhibit A
- 3.02 Current Zoning Map
- 3.03 Future Land Use Map



**CITY OF MARIETTA, GEORGIA
DEVELOPMENT SERVICES DEPARTMENT
OFFICE OF ECONOMIC DEVELOPMENT**

**Request for Proposals
Property Purchase and Redevelopment of
994 and 1010 Roswell Street
Marietta, Georgia**

Overview

The City of Marietta owns the parcels located at 994 Roswell Street (including the recently combined parcels of 980, 994 and 1004) and 1010 Roswell Street. The subject property (as shown on Exhibit A) included in the sale consists of approximately 1.45 +/- acres to 1.70 +/- acres or a maximum of 1.94 +/- acres (acreage may vary based upon possible relocation of public right-of-way).

Both parcels are zoned Community Retail Commercial (CRC) and designated on Future Land Use Map as Community Activity Center (CAC).

The property is being offered, “as is” and the following request for proposals invites interested developers to consider and respond to this exciting opportunity.

Section 1: Instructions to Proposers

1.01 Introduction

The City of Marietta, Georgia (the City), through its Department of Development Services, Office of Economic Development, is seeking proposals from qualified developers for the purchase and reuse of property located at 994 Roswell Street (including the recently combined parcels of 980, 994 and 1004) and 1010 Roswell Street (the Subject Property). The specifications for this proposal are contained in this document. Attention must be paid to all requested items contained in this “Competitive Sealed Proposal” request, hereinafter referred to as Request for Proposal (RFP). Proposers are invited to submit proposals in accordance with the requirements of this RFP. Please read the entire package before proposing. Proposers shall be required to respond to all

questions and to provide all information requested in the RFP. The prices and terms offered by the Proposers shall be firm for acceptance for a period of ninety (90) days from the date of proposal opening.

All proposals shall be returned in a sealed envelope in accordance with the instructions outlined below. This entire set of documents constitutes the RFP.

1.02 Proposal Submission Deadline and Opening

To be considered, proposals must arrive at the City of Marietta, Purchasing Department on or before **11:00 AM on Tuesday, July 29, 2014**. Respondents are required to submit **twelve (12) sets of complete documents**, all copies to be signed in blue ink by the respondent's contractually binding authority. All proposals are to be inserted in a sealed envelope and clearly marked on the outside with the proposal **RFP NUMBER 15-036263**, the project name: **994 Roswell Street and 1010 Roswell Street Property Purchase and Redevelopment**, and the submitting proposer's name, address and delivered by the date specified to:

Mr. Rick Churbock, CPPB
Purchasing Supervisor
City of Marietta
Purchasing Department
205 Lawrence Street
Marietta, Georgia 30060

Any proposals received after the stated time and date shall not be considered. It shall be the sole responsibility of the Applicants to have their proposal delivered to The City of Marietta Purchasing Department for receipt on or before the above stated time and date. The time/date stamp clock located in the Purchasing Department shall serve as the official authority to determine lateness of any proposal. The proposal delivery time shall be strictly observed. If the U.S. Postal Service sends a proposal, the Applicant shall be responsible for its timely delivery to the Purchasing Department. Proposals delayed by the mail shall not be considered, and arrangements shall be made for their return at the Applicant's request and expense. Under no circumstance shall bids delivered after the specified time be considered.

Respondents must submit a complete response to this request for proposal (RFP) using the format outlined below. The Proposer shall include all documents necessary to support its proposal and include them with its proposal. The Proposer shall make no other distribution of proposals directly to City staff or to members of the Marietta City Council.

Materials or information received from a prospective respondent as a result of an addendum by the Purchasing Officer shall not be considered a violation of this paragraph.

At the above-designated time and date, the names of those vendors submitting proposals will be read aloud before the public. The City will begin review of proposals immediately after the submission deadline. During the evaluation phase, City Staff will establish an evaluation team to review the proposals against the technical requirements of this RFP and make a recommendation. At this time, it is anticipated that the Marietta City Council would take action on the evaluation team's recommendation on August 13, 2014. If a proposer is selected, the selected Proposer and the City would proceed to sign a contract for sale in accordance with the contents of the selected response.

The City reserves the right to request additional information or to clarify submitted information, to alter the procedures for selection, or to reject any and all proposals and to waive any informalities or irregularities in the procedure. Please contact us with any questions you may have prior to the submission deadline.

1.03 Proposal Quantities and Pricing

1.03.1 Sealed Proposals: **Twelve (12) sets of complete documents** must be sealed and labeled (on the outside of sealed container) to show the following:

994 Roswell Street and 1010 Roswell Street Property Purchase
and Redevelopment,
PROPOSAL NUMBER RFP# 15-036263
Name of Vendor

1.03.2 Pricing for Proposal: All pricing information shall be contained within the body of the proposal, in accordance with the instructions described in Section 2.04.4 of this RFP.

1.04 Proposal Reservations

The City reserves the to right to reject any or all proposals, or any item or items of the proposals, and to waive technical defects which are not of a substantive nature if it is determined that it is in the best interest of the City. The City will proceed with the selection of that proposal which in its opinion represents the most satisfactory response to its selection criteria.

The City also reserves the right to negotiate changes in the proposal selected. These negotiations may encompass values described in the Request for Proposal, as well as values and items identified during the

Request for Proposal and negotiation process. On the basis of these negotiations, the City may refuse to sell the property even after it has tentatively selected one proposed developer for designation and has entered into the negotiations described in the paragraph.

1.05 Liability

The City is not responsible for any cost incurred by a proposer in the preparation of proposals.

1.06 Changes/Alterations

Proposers may change or withdraw proposal at any time prior to proposal opening; however, no oral modifications will be allowed. Only telegrams, letters or other formal written requests for modification or corrections of a previously submitted proposal, which is addressed in the same manner as the proposal, and received by the City prior to the scheduled closing time for receipt of proposals, will be accepted. The proposal, when opened will then be corrected in accordance with such written request, provided that the written request is contained in a sealed envelope that is plainly marked "Modification of Proposal."

1.07 Clarification of Submittals

The City reserves that right to obtain clarification of any point in a respondent submittal or to obtain additional information.

1.08 Proposer Questions and Inquiries

Questions and requests for clarification may be submitted in writing to:

**Mr. Rick Churbock, CPPB
Purchasing Supervisor
City of Marietta
Purchasing Department
205 Lawrence Street
Marietta, Georgia 30060
Email: rchurbock@mariettaga.gov**

1.09 Use of Name

The City is not engaged in advertising, sales promotions, or other publicity purposes. No advertising, sales promotion, or other publicity materials containing information obtained from the proposal are to be mentioned, or imply the name of the City, without prior express written permission.

1.10 Bribery Clause

Proposer certifies that no employees of theirs, any affiliate or Subcontractor has bribed or attempted to bribe an officer or employee of the City.

1.11 Extensions

This solicitation automatically concludes on the date and time indicated above, unless an addendum is issued by the City.

1.12 Compliance with City, State and Federal Laws and Permit Requirements

The successful Proposer shall comply with all rules, regulations (health, fire and safety), laws and permitting requirements of the City of Marietta, the State of Georgia, the Environmental Protections Agency (EPA) and the U.S. Government, now in force or hereafter to be adopted.

1.13 Licenses and Permits and Taxes

The successful Proposer shall abide by all ordinances and laws pertaining to this operation and shall secure, at his expense, all licenses and permits necessary for construction of the proposed development. He shall also be solely responsible for payment of any and all taxes and permit fees.

1.14 Final Contract with Successful Proposer

Any deed from the City of Marietta will be by virtue of a Quitclaim Deed and will be subject to any and all matters of record. **The City of Marietta will not warrant the title and the property will be sold “as is – where is”.**

Any or all statements contained in the proposal or made during negotiation (if applicable) shall become part of the final contract with the City of Marietta.

1.15 Assignment and Subcontracting

The successful Proposer may not sell, subcontract or otherwise transfer its interest in a final contract without prior written consent of the Marietta City Council.

1.16 Indemnification

The successful Proposer agrees to indemnify and save harmless the City, its agents, assigns, and employees from and against all claims, demands, liabilities, suits, judgments and decrees, losses and costs of expenses of any kind or nature whatsoever on account of injuries to or death of any person or persons or damage to any property occurring directly or indirectly from performance of work hereunder by the Proposer or its employees, agents, servants, associates or subcontractors however such injuries or death or damage to property may be caused.

PROPOSAL FORM COVER SHEET

SUBMITTED TO:

**City of Marietta
Attn: Rick Churbock, CPPB
Purchasing Department
205 Lawrence Street
Marietta, GA 30060**

Responses must be received by 11:00 AM on Tuesday, July 29, 2014.

The time/date stamp clock located in the Purchasing Department shall serve as the official authority to determine lateness of any proposal. The above response deadline shall be strictly observed. Under no circumstance shall proposals delivered after the specified time be considered. Such proposals will be returned unopened.

Type and/or print information

SUBMITTED BY: Name: _____

Firm: _____

Address: _____

Telephone: _____

Fax # _____

Other _____

I am fully aware of the requirements established by the City for selection of a developer and accept these requirements. The attached information is complete and accurate.

Print Name

Signature

_____/_____/_____
Title/Date

Section II: Project Description

2.01 Project Background

The Envision Marietta downtown master plan outlines the vision for the downtown area with corresponding projects and actions to help achieve that vision. The plan called for streetscaping on roads to increase pedestrian safety and activity, traffic calming, help improve regional air quality issues and create an attractive sense of place. The plan recommends Roswell Street as one of the primary roads needing streetscaping because it is a main gateway into the city.

The city received LCI implementation funds and SPLOST funds to construct portions of the streetscape project. The project includes wide brick sidewalks, pedestrian street lighting, street trees and a few pocket parks. Separate from the streetscape project, the city's Board of Lights and Water is placing the utilities and power lines underground, which will minimize visual clutter along Roswell Street once all of the projects are complete.

The City is offering to sell the Subject Property to encourage commercial redevelopment of the site consistent with Community Retail Commercial zoning and the Roswell Street Streetscape Project. Note, the City's right-of-way requirements on Roswell Street and Dodd Street (Tract B) will not be included in the sale of the properties. The proposed use and development plan for the site will be evaluated.

The following parcel ID, illustrations and photographs identify the location of the Subject Property, boundary of parcels and aerial views of the parcels being offered for disposition through this RFP.

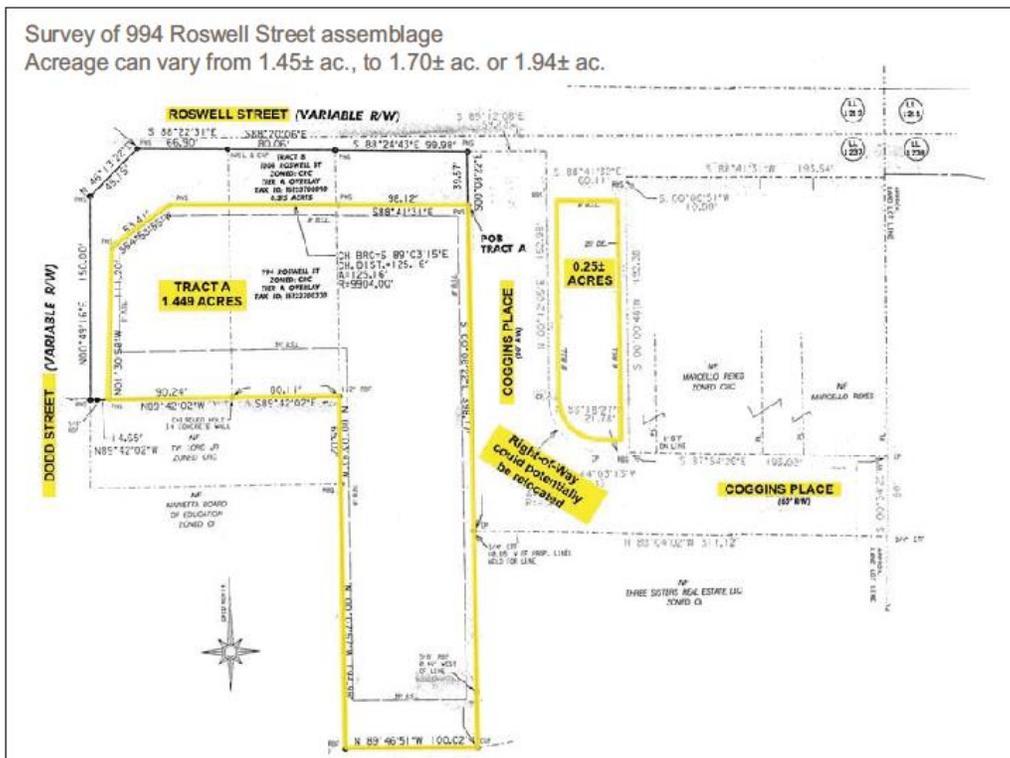
Tract A only:

980 Roswell Street	Parcel #16123700080
994 Roswell Street	Parcel #16123700330
1004 Roswell Street	Parcel #16123700090
1010 Roswell Street	Parcel #16123700170

MAP 1: Project Location



MAP 2: Project Boundaries (highlighted areas only)



2.02 Redevelopment Objectives

The City's objectives for the redevelopment of the Subject Property are to (1) receive as high a payment as possible for the parcels, (2) replace the vacant property with a high valued new commercial use building offering architecture that contributes to the overall redevelopment of the corridor.

Proposers are encouraged to consult with City Planning staff concerning zoning or variance issues that may be encountered.

2.03 Proposal Format and Contents

The City is offering the Subject Property "as is" and is soliciting proposals from parties who are able to begin construction of a commercial building within a year of acquiring title to the property. Due to the non-contiguous nature of the subject property, the City anticipates that respondents to this RFP may be an individual business that would occupy the property as owners/end users. Proposers who lack development experience but may be interested in the Subject Property as a business location, are required to secure the services of a qualified building contractor(s) in order to satisfy the requirements of this RFP. The City will review favorably proposals that feature a structure that offers interesting architectural character and high-quality design, and encourages the broader revitalization of the Roswell Street corridor. The "preferred" development approach for the property should yield the highest possible combination of land purchase price, favorable terms and contingencies from the City's perspective, with a consideration of the project's future taxable value after completion.

The proposal must be presented in the order and manner described in the paragraphs that follow. To be considered substantive, the proposal must respond to all requirements of this part of the RFP. Any other information thought to be relevant, but not applicable to the enumerated categories, should be provided as an appendix to the proposal. If the Proposer chooses to supply publications in order to respond to a requirement, the response should include reference to the document number and page number. This will provide a quick reference for the selection committee.

The proposal must address the following elements.

2.04.1 Statement of Project Understanding: State in concise terms, your understanding of the project presented by the RFP and your recommended approach to developing the Project Site.

2.04.2 Conceptual Plan: Provide a conceptual site development plan that shows the proposed building location and parking circulation on the property. Include with the conceptual plan a description of the proposed use, including anticipated gross and finished square footage, possible architectural/design features and anticipated value. Include a proposed rendering and/or possible floor plan.

2.04.3 Project Approach: Describe in a narrative form the technical plan for accomplishing the development, from property acquisition through construction of the structure and use. This approach should include time frames and, at minimum, address the following elements.

- Construction start and completion dates for the structure; and
- Site improvements, amenities or other relevant factors.

2.04.4 Proposed Contract for Purchase: This section should address the terms and conditions under which the Proposer would agree to purchase the Project Site, as is, from the City of Marietta. This section should include but not be limited to the following elements:

- Clearly describe the purchase price and proposed payment terms being offered and a projected closing date;
- List any and all other buyer contingencies associated with that offer, including due diligence to be completed prior to closing and all variables impacting the offering price; and
- List any and all other requested actions of the Seller, which must be completed prior to closing.

Proposers may choose to offer alternative terms of sale for the City's consideration if, in the Proposer's judgment, the presentation of options or alternatives would strengthen the proposal. It is the City's intent to utilize the content of this section as the basis for an actual Contract for Purchase with the selected developer, so it is incumbent upon the Proposer to divulge any and all applicable terms and conditions within this section. **The final contract will be subject to the approval, rejection or modification of the Marietta City Council.**

2.04.5 Additional Items: The City may look favorably upon, but does not require Proposers to consider alternatives that enlarge the Subject

Property beyond its present boundaries. Proposers are free to contact abutters to inquire about the availability of their properties. However, it should be clearly understood that any conceptual site plan that includes “other property” shall be assembled without assistance from the City of Marietta.

2.04.6 Qualifications and References: The proposal shall include a description and history of the development team, including a statement of qualifications, relevant development experience, financial capacity to purchase the Subject Property under the terms offered, and capability to complete the proposed development. If the respondent is a developer, provide a list of projects of a similar nature that your firm or assembled team has completed or is currently working, with contact information of qualified persons who may provide references. If the respondent is a business/end user, list the consultants, engineers or contractors that you have assembled to complete the construction process, and provide appropriate qualifications materials for those third parties. **The City expects key members of the Proposer’s development team that would undertake this project, to be determined in advance of the proposal submission and clearly identified within the proposal.**

2.04.7 Evidence of Financial Capability to Undertake the Project: The proposal shall include adequate documentation of the Proposer’s financial strength and ability to obtain project financing for both the acquisition and development of the Project Site. The City may consider the following financial information, or acceptable substitute, to establish the Proposer’s financial viability: Most recent available audited financial statement, annual reports, management letters, letters of credit or support by banks or other lending institutions, etc.

2.06 Deed of Conveyance

The property will be transferred by the City of Marietta by Quit-Claim Deed, which shall have a clause stating the property is transferred “as is-where is”, either without warranties or with very limited warranties or representations, as specified within the terms of the deed. The City has completed no environmental analysis of the property and can provide no information other than readily available public documents, concerning the presence or absence of contamination on the property. Proposers will be fully responsible for conducting their own due diligence and should consider the nature of the deed conveyance in their offers.

2.07 Survival

As part of this bid process, Marietta will require that a clause be placed in the purchase contract, providing that the development proposed by the purchaser shall survive the closing and shall be enforceable by the city after closing.

2.08 Confidentiality

The public record law of the State of Georgia requires local governments to disclose certain information upon request. The materials submitted by proposers in response to this RFP will eventually qualify as public record. Proposers, who wish to protect the confidentiality of certain financial or other information that may qualify as a trade secret, shall be solely responsible for marking any such documents submitted with this proposal as "confidential". The City agrees to attempt to protect any confidential information from disclosure if state law and City policy enables us to do so.

2.09 Property Transfer Date

The City of Marietta, Georgia desires to complete a purchase contract and transfer ownership of the property to the successful Proposer as quickly as possible and preferably by no later than November 7, 2014

2.10 Substantive Nature of Proposals

Proposals that are not substantive maybe considered non-responsive. It is not sufficient for the vendor to address the proposal in general terms or in terms other than those outlined in the proposal. The format of the proposal must be as outlined. Proposal should be prepared simply and economically, providing a straightforward, concise description of the vendor's ability to meet the requirements of the RFP.

2.11 Evaluation and Selection Process

2.11.1 Highest Responsible Bidder: The City of Marietta will make the award in accordance with Georgia law to the highest responsible bidder meeting the terms and conditions set forth herein and determined by the City Council of the City of Marietta.

2.11.2 Proposal Evaluation Process: During the evaluation phase, the City will form an evaluation team comprised of City officials and staff to review and screen the proposals for responsiveness to this RFP. The evaluation team will rank the proposals and recommend the selection of a preferred proposal to the City Council.

The evaluation team may interview selected Proposers to clarify specific matters presented in the proposals. These discussions will allow respondents to elaborate on his/her proposal and to request other pertinent information. The evaluation team will use information gained during these discussions, and information presented in the proposal, to rank proposals in accordance with criteria stated in the RFP. The following factors will, at a minimum, be considered during the proposal evaluation process.

- Qualifications, experience and capabilities of the development team;
- Responsiveness to the purposes and objectives of the RFP;
- Overall quality and projected end value of the replacement structure and use at completion;
- Financial strength of the firm and ability to capitalize the project;
- Offered purchase price, contingencies and favorable terms offered for the property;
- Demonstrated ability and willingness to close the transaction and assume property ownership as quickly as possible;
- Potential for the project to positively impact Roswell Street and City of Marietta, and
- Construction implementation timeline.

All other provisions of the RFP will also be considered. At this time, the City has not formally established weighting criteria for the above factors. Proposers can reasonably assume that factors related to the overall sale terms, the nature of the proposed re-use, and financial strength of the Proposer, are all closely related and will be given equal consideration.

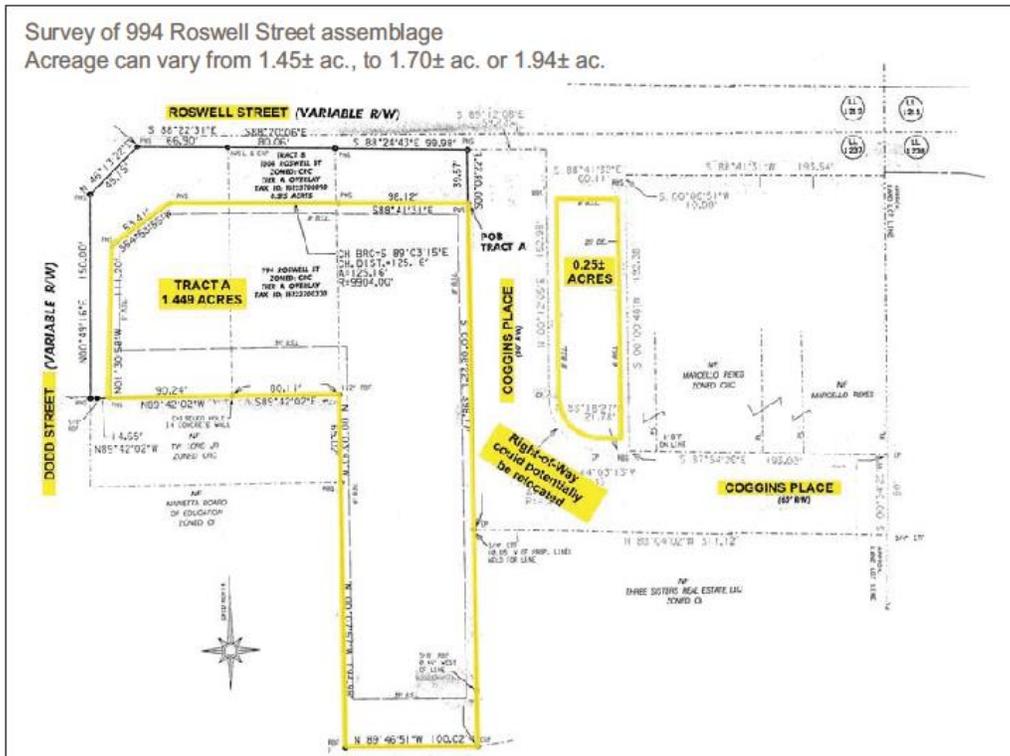
The City will complete its evaluation process and offer recommendations to the Marietta City Council concerning the ranking of proposals and the selection of a preferred Proposer or developer for further negotiation. The City Council will be solely responsible for the final selection. Upon selection of a preferred Proposer, the City Council will authorize staff to negotiate a purchase contract for the property.

Section III: Appendix

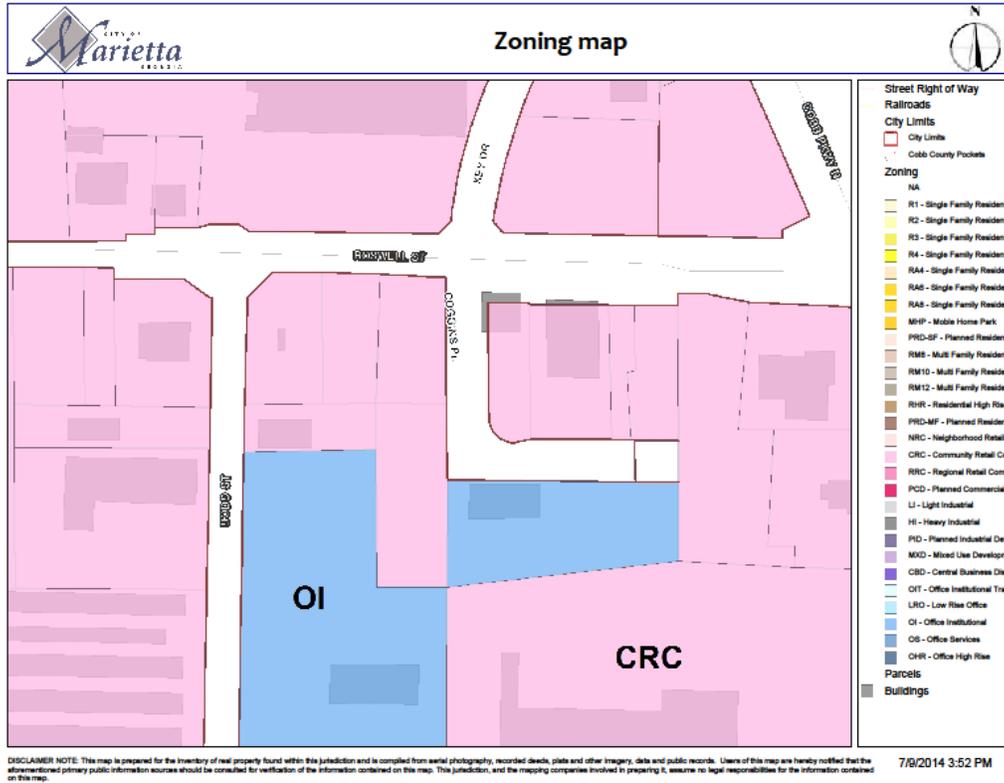
3.01 Exhibit A

Tract A only:

980 Roswell Street	Parcel #1612370080
994 Roswell Street	Parcel #16123700330
1004 Roswell Street	Parcel #16123700090
1010 Roswell Street	Parcel #16123700170



3.02 Current Zoning Map



3.03 Future Land Use Map

