



City of Holladay

**REQUEST FOR PROPOSALS (RFP)
for COTTON BOTTOM PURCHASE AND REDEVELOPMENT**

The City of Holladay (CITY) owns 1 acre of property located at 6252 South Holladay Boulevard, Holladay, Utah 84121 (Property). The Property is currently being leased by a tenant on a month-to-month agreement. The CITY is requesting proposals from experienced developers interested in purchasing and developing the Property, as detailed in the developer's response to this request for proposals (RFP). The CITY will enter into a purchase and development agreement with the selected developer to build a successful and financially viable development that maximizes public benefit. The selected developer must have previous experience in the successful financing, building, and operating of one or more redevelopment projects.

Project Name:	Cotton Bottom Purchase and Redevelopment
Deadline for Proposal Submissions:	Monday, September 9, 2019 at 12:00 p.m. Noon
Pre-Submittal Meeting:	A pre-submission meeting will be held on Friday, August 23, 2019 at 1:00 p.m. in the Mt. Olympus Room, Holladay City Hall, 4580 South 2300 East, Holladay, UT 84117. Attendance at this meeting is not a mandatory requirement for a firm to submit a proposal.
RFP Contact:	Holly Smith City of Holladay 4580 South 2300 East Holladay, UT 84117 Telephone: 801-272-9450, ext. 118 Email: hsmith@cityofholladay.com
Questions & Answers:	Please submit all questions in writing to Holly Smith at hsmith@cityofholladay.com . The question period will open concurrently with the release of the RFP. All questions must be submitted no later than Wednesday, August 28, 2019 at 5:00 p.m., MST. Answers will be posted on the CITY's website, www.cityofholladay.com , by Friday, August 30, 2019. The CITY requests that interested developers refrain from contacting other CITY staff or officials regarding this project.
Modifications & Addenda:	Any modifications or addendums to the RFP will be made in redline form on the website. Please check the RFP on the website for changes.

Developers are required to submit five (5) hard copies and one (1) electronic copy (single PDF of complete proposal) of their response to this proposal endorsed “RFP Response: Cotton Bottom Purchase and Redevelopment” by 12:00 p.m. on Monday, September 9, 2019 to Holladay City Hall, Attn: Holly Smith, 4580 South 2300 East, Holladay, Utah 84117. The electronic copy may be either emailed to the RFP contact listed in this document or provided on a non-returnable USB/flash drive with the packet of hard copy submittals. Proposals will not be publicly opened or read.

Proposals will be evaluated thereafter by the CITY. If the selection committee determines that additional dialogue with the finalists is required to determine the recommendation for project award, the CITY will coordinate with the developer(s) or developer team(s) to make meeting arrangements.

Proposals received after the stated deadline will not be considered. The acceptance of any proposal made pursuant to this invitation shall not be binding until an agreement has been executed. The CITY reserves the right to accept or reject any or all bids/proposals or part thereof, to accept one or more items of a bid/proposal without obligation as to other items, and to waive any informalities or irregularities.

2019 Anticipated Selection Schedule (subject to change)

August 19	CITY Issues RFP
August 23	Pre-Submission Meeting (not mandatory)
August 28	Last Day to Ask Questions
August 30	Q&A Posted on Website
September 9	Proposal Submission Deadline
September 9-12	Initial Proposal Review
September 13	Brief Proposal Presentations by Developers
September 13-20	Proposal Evaluation
	Determine Finalists
September 25	Finalist Interviews
	Determination of Contract Recommendation
October 3	Recommended Proposal Presented to CITY Council
October 4-16	Contract Review and Negotiation
October 17	Contract Approval for Signature by CITY Council
October 18	Contract Execution
Spring 2020	Anticipated Closing

**City of Holladay
REQUEST FOR PROPOSALS (RFP)
for COTTON BOTTOM PURCHASE AND REDEVELOPMENT**

TABLE OF CONTENTS	Page
Section I: Request for Proposals	4
Section II: Submission Requirements and Procedure	6
Section III: Selection Process and Criteria	8
Section IV: Design Review	9
Section V: Miscellaneous	9
Section VI: City Non-Liability and Related Matters	10
Section VII: Exhibits	11
Exhibit A - Property Description	12
Exhibit B – Boundary Map.....	13
Exhibit C - Project Requirements and Preferences	14

SECTION I: REQUEST FOR PROPOSALS

REQUEST FOR PROPOSALS (“RFP”)

The City of Holladay (CITY) owns 1 acre of property located at 6252 South Holladay Boulevard, Holladay Utah 84121 (Property) in the City of Holladay Redevelopment Agency’s Mill Rock Project Area. This project area expires is 2020, and no incentives are available for the subject property of this RFP. The CITY is requesting proposals from experienced developers interested in purchasing the Property and constructing a redevelopment project (Project) on the Property.

The CITY will enter into a purchase and project scope agreement with the selected developer to build a successful and financially viable development that maximizes public benefit. The selected developer must have previous experience in the successful financing, building, and operating of one or more development projects.

PURCHASE PRICE

The developer should submit their best and final offer in their proposal.

PROPERTY INFORMATION

The Property fronts 6200 South on the north and Holladay Boulevard on the east. The Property is irregularly shaped with one street corner. The southern boundary of the Property is shared with Knudsen Park, a CITY-owned, newly constructed public park. The western boundary fronts Big Cottonwood Creek and features a public walking path. Two fine dining restaurants – Tuscany and Franck’s – are located across the street to the east of the Property on Holladay Boulevard. The greater surrounding areas to the north and west are primarily established residential neighborhoods, and the area to the southeast/east is home to the Old Mill Technology District and Cottonwood Corporate Center. The Property site is adjacent to an I-215 full interchange.

Please refer to Exhibits “A” and “B” for additional information about the Property.

CURRENT AND PREFERRED ZONING

The Property is currently zoned RM; however, the City intends to rezone the Property to the LU zone or would consider other zones with similar uses. The CITY intends to zone the property to permit the use accepted in this application.

ALCOHOL LICENSE

There is a tavern license associated with the existing business located on the Property. The Utah Department of Alcoholic Beverage Control can provide additional information on the process and alcohol license options available to interested parties.

EXISTING LEASE TERMS

The CITY entered a 3-year lease agreement for the subject Property with a tenant in May 2014. Since the term of that agreement has expired, the Property is currently being leased by the same tenant on a month-to-month basis. At the termination of the lease, the lessee must surrender all of the leased property, less personal property and trade fixtures. The CITY retains ownership of the historic business sign and business name.

WATER SHARES

The sale of the subject Property does not include any water shares. There is currently one water share associated with the Property through the Big Cottonwood Tanner Ditch Company. This share will be retained by the CITY and transferred upon the sale of the Property to Knudsen Park.

PREFERRED SCOPE OF DEVELOPMENT

The Agency is seeking a developer willing to plan and develop a Project that includes all the land specified in Exhibit "A" Property Description and Exhibit "B" Boundary Map, Lot 1 and according to Exhibit "C" Project Requirements and Preferences.

WRITTEN AGREEMENTS REQUIRED

The selected developer must be willing to enter into certain agreements pertaining to the Project that outline the type, size, uses, and timeframe for development. These agreements may include, but are not limited to:

1. Purchase Agreement for the purchase of the Property.
2. Development Agreement detailing the deed restriction for the proposed developer improvements, timeframe for construction, and any post-construction requirements or restrictions for the Project.
3. Option to Repurchase Agreement that provides if the Project is not completed and used as agreed, the CITY has the option to re-purchase the Property. The Option to Repurchase Agreement must be executed at the time of the closing of the purchase of the property.
4. Other agreements as recommended by CITY legal counsel.

DEVELOPER'S OBLIGATIONS

Developer's obligations under the agreements with the CITY shall include the following:

1. The developer will be responsible for all due diligence and site investigations and the planning, entitlement, construction and maintenance of all aspects of the Project, including any needed demolition and/or structural remediation, site preparation, and public improvements.
2. The developer will present conceptual design, schematic, design development, and final construction documents for review and approval by the CITY in accordance with the standard

permitting process to comply with zoning regulations, building codes, and all other applicable regulations adopted by the City of Holladay.

3. The developer will be responsible for obtaining adequate financing for all aspects of the development, including predevelopment, construction, and operations.
4. The developer will be responsible for designing and building the development in a manner that produces a high-quality, enduring project.
5. The developer will be responsible for owning, managing, and operating the development in a manner that ensures long-term financial viability and high-quality.

SECTION II - SUBMISSION REQUIREMENTS AND PROCEDURE

As part of a response to this RFP, the developer shall provide the following information. Responses must address all items and clearly label all sections, graphics, and tables within the proposal in the order outlined below. The proposal should not exceed twenty (20), 8.5"x11", single-sided pages, with limited, folded 11"x17" size pages permitted as needed for larger exhibits. The CITY may reject any incomplete proposals during the selection process.

SUBMISSION REQUIREMENTS AND FORMAT

Section 1: Offer Amount

1. Best and final offer to purchase price.

Section 2: Project Proposal

Provide a written description of the proposed development in response to the Project Requirements and Preferences (Exhibit "C"), including the following information:

1. A description of the proposed redevelopment project, including approximate square footage by proposed use, i.e., restaurant, commercial, hospitality and/or other uses;
2. Project features that relate to the surrounding area uses and community character;
3. Information detailing the benefit of the project to the community;
4. Proposed project timetable (be specific).
5. General design concepts that include:
 - a. Site plan for the project that illustrates building configuration, parking location/size, circulation.
 - b. Conceptual elevation drawings illustrating building scale, access points, and relationship to street.

Section 3: Qualifications and Experience

1. Provide a description of the Developer's qualifications, including a description of the legal entity with whom the CITY would contract.
2. Identification and role of key individuals in the development team and any key consultants who would be involved in negotiations, project management, project design, and implementation, including their background and experience. Provide brief biographies of all key people reflecting their capabilities and experience with similar projects.

3. Examples of the developer's experience with comparable projects. Provide no more than three (3) examples highlighting experience with development and operation of projects of similar size and scope, with particular emphasis on redevelopment projects in established urban environments and projects developed through public-private partnerships. Examples may include images, location, development program, members of the development team, total development cost, financing structure, project schedule, role of the public sector, information on challenges faced and solutions achieved, and a local reference.

Section 4: Financial Capability

1. A description of the developer's experience in financing development projects and financing references. Provide a summary of the current real estate portfolio owned and/or managed by the respondent and a list of all projects in the development pipeline including location, status, schedule, estimated cost and financing structure. Please also describe the developer's capacity for completing the proposed Project in the context of the current development pipeline.
2. A description of the financial capacity of the developer. Disclosure of any litigation that could have a materially adverse effect on the development entities financial condition. Disclosure of any bankruptcy filings by the development entity or affiliates within the past five (5) years.

SUBMISSION PROCEDURE

The developer shall submit five (5) copies (8.5" x 11" format) of the complete proposal, not to exceed twenty (20), 8.5"x11" single-sided pages, with limited, folded 11"x17" size pages permitted as needed for larger exhibits. The developer should also submit an electronic copy of the Response in PDF format on a portable drive or by email to the identified RFP contact by the stated deadline. Submissions lacking one or more of the requested documents may be considered incomplete or irregular. All Responses, including attachments, supplementary materials, addenda, etc., shall become the property of the CITY and will not be returned.

It is the developer's sole responsibility to read and interpret this Request for Proposals and the written instructions contained herein. The first page of the Response shall:

1. State that the developer has read and understands this Request for Proposals and accepts the written instructions contained herein.
2. Be signed by an officer or employee authorized to bind the developer contractually.
3. Provide the name, contact phone number, email address, and mailing address of the person to whom all correspondence should be sent regarding questions about the Response, requests for interviews, or notifications regarding developer selection. (This person will be responsible for disseminating information to the development team.)

Responses shall be submitted in a sealed envelope with the developer's name, address, date of submittal, and the title "RFP Response: Cotton Bottom Purchase and Redevelopment" shown on the outside of the envelope. Please submit Responses to the Request for Proposals to:

Holly Smith
City of Holladay
4580 South 2300 East
Holladay, UT 84117
Telephone: 801-272-9450, ext. 118
Email: hsmith@cityofholladay.com

Responses are due in the CITY's office on or before Monday, September 9, 2019 at 12:00 p.m., MST. Responses to the Request for Proposals that are not received in the CITY offices prior to the time and date specified will be considered late. The CITY reserves the right to reject any incomplete or irregular response and reserves the right to waive any non-material irregularity in responses.

SECTION III – SELECTION PROCESS AND CRITERIA

SELECTION PROCESS

The CITY will make every effort to ensure that all Responses are treated fairly and equally throughout the selection process. The CITY intends to administer the following selection process:

1. Selection Committee

The CITY will form a Selection Committee comprised of CITY Council Members and staff to review the submitted responses and provide recommendations to the CITY.

2. Brief Proposal Presentations by Developers

The Selection Committee will invite each firm submitting a proposal to provide a brief oral presentation. After the September 9 RFP deadline, the CITY will contact each submitting developer to assign a specific presentation time and provide further instructions. The Consultant shall plan to present to the selection committee at the assigned time on the tentative date of Friday, September 13, 2019, at Holladay City Hall, 4580 South 2300 East, Holladay, UT 84117.

3. Identify a Short-list of Finalists

The Selection Committee will consider the written proposals and oral presentations to determine a shortlist of finalists.

4. Finalist Interviews to Identify a First- and Second-ranked Developer

The CITY will notify the developers selected for the shortlist and may ask them to participate in an interview to discuss their qualifications in further detail. The CITY may select a first-ranked and second-ranked developer.

5. Negotiations with First-ranked Developer

The first-ranked developer will be given a defined period of time to negotiate and execute a Purchase and Development Agreement with the CITY. In the event that exclusive negotiations are conducted and an agreement is not reached, the CITY reserves the right to enter into negotiations with the next highest ranked developer without the need to repeat the formal solicitation process.

SELECTION CRITERIA

The following is a guide to the criteria that will be used in evaluating development teams:

- 1. Project Proposal (40%)**
 - a. Ability of developer to meet the Project Requirements and Preferences (Exhibit “C”).
 - b. Experience consistent with the Project Requirements and Preferences (Exhibit “C”).
 - c. Level of public benefit the project provides in revitalizing and activating the area.
- 2. Best and Final Offer to Purchase Price (30%)**
- 3. Qualifications & Experience (15%)**
 - a. Quality and completeness of information submitted in response to this RFP.
 - b. Evaluation of past projects and experience.
 - c. Experience with designing and developing redevelopment projects.
 - d. Evaluation of ownership structure and experience of key members.
 - e. Capacity to undertake and complete the project in a timely manner.
- 4. Financial Capability (15%)**
 - a. Ability to deploy the necessary resources to analyze the current conditions of the Property and proceed with demolition and site preparation in a timely manner.
 - b. Demonstrated ability to secure project funding.
 - c. Verifiable likelihood that sources and terms are realistic and accessible.

SECTION IV – DESIGN REVIEW

The design review process will follow the CITY’s adopted ordinance and require the selected developer to obtain approval for the Conceptual Design, Schematic Design, Design Development, and Final Construction Documents for the proposed development.

SECTION V – MISCELLANEOUS

1. All information submitted to the CITY by the developer will be binding upon the developer.
2. All Responses, including attachments, supplementary materials, and addenda shall become the property of the CITY at the time of submission and will not be returned to the developer. Information contained in the Responses, excepting financial statements of the development entity or partners and information labeled “Not for Public Disclosure” in accordance with the law, will be available to the public upon inquiry immediately following the execution of a written agreement with the selected developer by the CITY.
3. The developer, by submitting a Response to the CITY, waives all rights to protest or seek any legal remedies whatsoever regarding any aspect of the CITY including, but not limited to, the CITY’s selection of a developer with whom to enter into negotiations, the CITY’s rejection of any or all Responses, and the terms of any subsequent Option to Purchase Agreement and Development Agreement that might be entered into as a result of the Request for Proposals.
4. The CITY reserves the right to negotiate changes in the terms of development with the selected developer as may be required.
5. The CITY reserves the right to withdraw or suspend the offering of the Property at any time during the marketing and developer selection process.

6. The CITY reserves the right to reject any or all Responses received. Furthermore, the CITY shall have the right to waive any informality or technical defect in Responses received when in the best interest of the CITY.
7. No Response shall be accepted from, or contract awarded to, any person, firm or corporation, or affiliate thereof that is in arrears to the CITY upon a debt or contract or that is in default, as surety or otherwise, upon any obligation to the CITY, or that may be deemed irresponsible or unreliable by the CITY. Developers may be required to submit satisfactory evidence that they have the necessary financial resources to perform and complete the work outlined in this RFP. The CITY retains the right to request ownership information from any submitting entity.
8. The developer, its tenants, employees, contractors, and primary subcontractors will not discriminate against or with respect to any person or group of persons on any unlawful basis in the construction, sale, lease, rental, sublease, transfer, use, occupancy, tenure, or enjoyment of the Property or any improvements erected or to be erected thereon, or any part thereof.

SECTION VI – CITY NON-LIABILITY & RELATED MATTERS

1. No Representation or Warranties

All facts and opinions stated herein, any additional data including, but not limited to statistical and economic data and projections, are based on available information, and no representation or warranty is made with respect thereto by the CITY.

1. Building Permits, Zoning Variances, and Financial Viability

The CITY through the sale of the Property in no way guarantees or warrants the issuance of building permits, zoning variances, or the financial viability of the Project.

2. CITY Discretion, Non-Liability, Waivers, and Hold Harmless

Developers acknowledge by submitting information and responses to the CITY that the City of Holladay does not undertake and shall have no liability with respect to the development program, the RFP, and responses thereto or with respect to any matters related to any submission by a developer. By submitting a Response to the RFP, the developer releases the CITY from all liability with respect to the development program, the RFP, and all matters related thereto, covenants not to sue the CITY regarding such matters, and agrees to hold the CITY harmless from any claims made by the developer or anyone claiming by, through, or under the developer in connection therewith.

SECTION VII – EXHIBITS

EXHIBIT A

PROPERTY DESCRIPTION

Property Address: 6252 South Holladay Boulevard, Holladay, UT 84121

Parcel number: 22-23-106-014

Total Acreage: 1



**High resolution boundary map posted at www.cityofholladay.com/government/rfps*

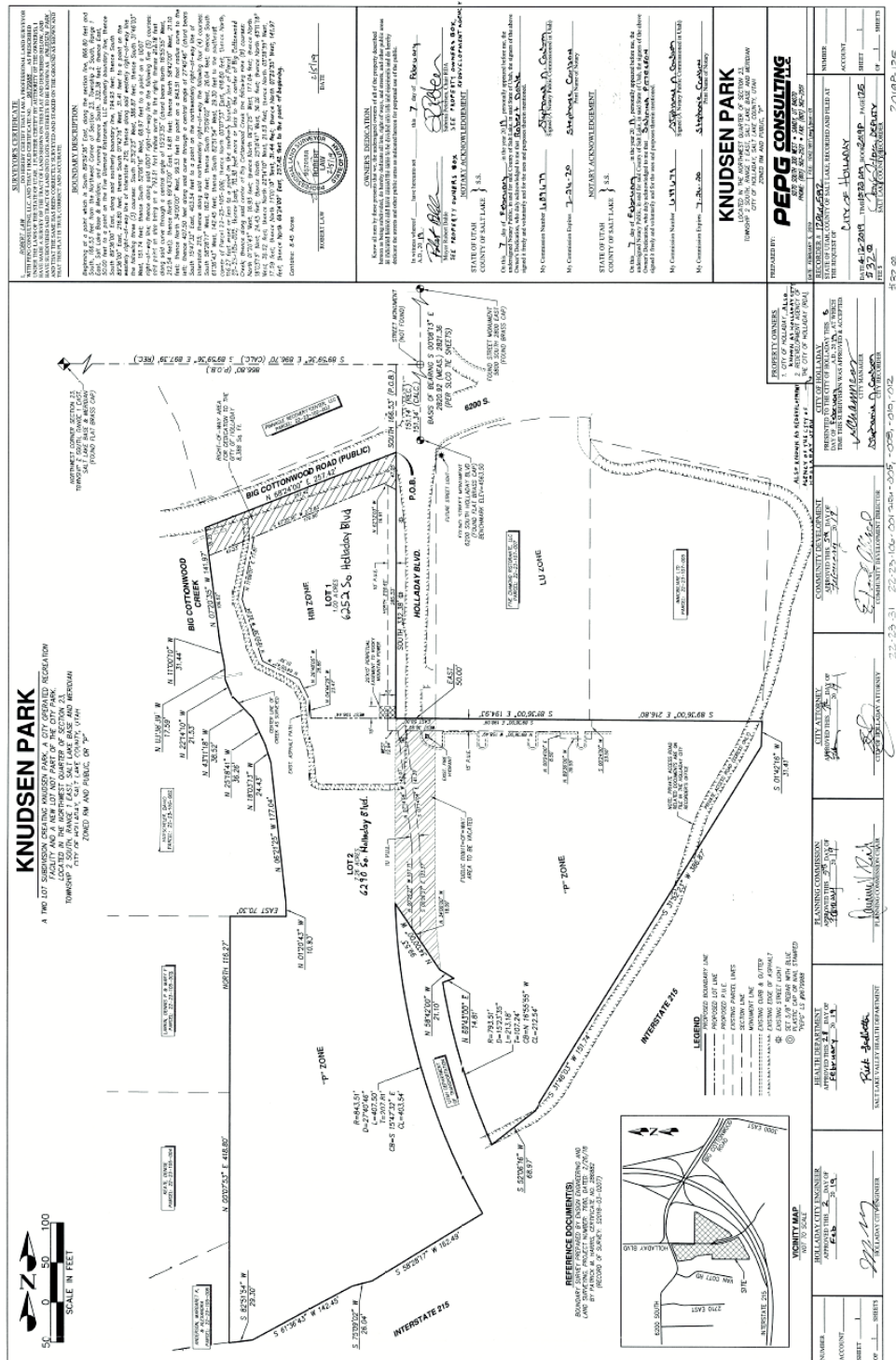


EXHIBIT C

PROJECT REQUIREMENTS AND PREFERENCES

While the CITY is selecting a developer for the Property through a request for proposals process, the CITY has outlined the following Project Requirements and Preferences below to help articulate the CITY's vision for redevelopment of the Property. The CITY intends to zone the property to permit the use accepted in this application.

MINIMUM REQUIREMENTS

- High level of concern for architectural and urban design principles.
- Consideration of economic development principals and goals described in the CITY's adopted General Plan.
- Incorporation of sidewalk and pathway connections, including 6200 South, Holladay Boulevard, and the Knudsen Park Big Cottonwood Creek trail (located on the west boundary of the Property), that promote safe pedestrian and cyclist activity to and from Knudsen Park and the Big Cottonwood Trail.
- High level of public benefit that contributes to revitalizing and activating the area.
- Offsite improvement requirements:
 - Holladay Boulevard: Curb & Gutter w/ integrated 6-ft concrete sidewalk.
 - 6200 South: Curb & Gutter w/ 5-ft park strip and 5-ft concrete sidewalk
 - Holladay Blvd at 6200 South: Corner sidewalk ADA ramp.
 - Street lighting will be required on both Holladay Boulevard and 6200 South. On-site lighting design will be considered in determining how much off-site lighting will be needed. Final lighting design to be determined by the Planning Commission.
 - One catchbasin and concrete lateral pipe to tie into the existing storm drain manhole on 6200 South.

PREFERENCES

- Categories of projects the CITY Council has considered suitable for the site: (1) restaurant; (2) hospitality/boutique hotel, (3) microbrewery; or (4) professional offices, only if included in a mixed-use project. Mixed-use projects combining any of the previously stated categories are preferred.
- Categories of projects the CITY Council has indicated as undesirable for the site: (1) manufacturing and (2) housing/residential.
- Maximum height of three stories.
- Building no more than 36,000 total square feet.
- Architectural design sensitive to the existing, adjacent residential areas.
- Creative parking solutions.
- Repurposing and/or incorporation of the Cotton Bottom brand.