



CITY OF FLAGSTAFF
Addendum Number One
Property For Core Services Maintenance Facility
RFP NUMBER 2013-44

Please be advised that this Addendum is to provide answers to the first round of questions that were asked by prospective Offerors during the Pre-Proposal Conference held on August 15, 2013 regarding RFP No. 2013-44. We received a total of forty-two (42) questions as follows:

1. **Question:** The solicitation for the property for Core Services Maintenance Facility states that the City is seeking 20 acres, (page 13, project description). Will the City consider a proposal where the seller offers 10 acres of land and the 10 acres adjoins land currently owned by the City and the total of the two would be more than 20 acres?

Answer: Yes. However, the City owned property would be evaluated and scored according to the evaluation criteria along with other proposed property. Also, as with other proposed property, the City reserves the right to determine if the City owned property is functional and would meet our needs for a new core services maintenance facility.

2. **Question:** What is the zoning requirement?

Answer: Public Facility.

3. **Question:** Is McAllister Ranch in the flood plain?

Answer: Yes, a portion of it is in the flood plain as shown on the map of the McAllister Ranch.

4. **Question:** Request to tour the two properties?

Answer: The City has made arrangements for prospective Proposers to tour the two (2) City owned properties, available for exchange. The established dates and times for the tours for both properties are as follows:

- 1.) McAllister Ranch—3366 W. Route 66
Thursday, August 29th from 3:00 p.m. to 4:00 p.m.
Thursday, September 5th from 3:00 p.m. to 4:00 p.m.
- 2.) Existing Public Works Yard—419 N. Mogollon
Thursday, August 29th from 4:00 p.m. to 5:00 p.m.
Thursday, September 5th from 4:00 p.m. to 5:00 p.m.

Prospective Proposers who would like to participate in any tours of the two City owned properties, shall RSVP by contacting Di Ann Butkay, Purchasing Division Administrative Specialist at 928/213-2206 or dbutkay@flagstaffaz.gov

5. **Question:** *Why did the City decide not to put the Core Facility on the McAllister Property?*

Answer: *We have just opened it up for other options and look at other alternatives to see if there is a better suited place for the new Core Services Maintenance Facility.*

6. **Question:** *What is the zoning on the McAllister Property and what does the area plan call for its use?*

Answer: *The zoning designation for the McAllister Ranch is "General".*

7. **Question:** *The Regional Plan – are you going to use the current one or the one proposed?*

Answer: *The City will utilize and follow the existing Regional Plan, as the City anticipates completing the RFP process and awarding a contract before the proposed Regional Plan goes to the voters in May to be ratified.*

8. **Question:** *With regard to the evaluation of price.... if I had a piece of property and I proposed an even trade for one of the two (2) City owned properties referenced in the RFP, would the price be net zero, or would the City look at their piece of property and determine what that property is worth and then evaluate what you can sell it for, and put that into the price. How is this price evaluation going to be used when you actually use an exchange of the property? What is the formula? You have criteria you put into an RFP, quite honestly I am not sure if it is to my advantage to take that property or not according to how you are going to evaluate that.*

Answer: *Because this is a formal competitive Request For Proposals process, Proposers need to submit a proposal to the City to be considered through an evaluation and scoring process. If a property exchange is proposed, the City will evaluate their piece of property and determine what the property is worth and what we could likely sell it for. Whoever the successful Proposer is, based on the evaluation and scoring results, the City and the successful Proposer may end up negotiating price.*

9. **Question:** *You are going to have to use the existing facility for a period of time. Do you want us to take into consideration City's use of that facility for a number of years? Is there a horizon on a financial arrangement that involves a lease back?*

Answer: *That will be part of the negotiations with the highest scoring Proposer. What we are really looking at is what the Proposer's property is worth, as compared to the other competing Proposer's property. We cannot give the property away per state statute.*

10. **Question:** How is the City going to be clear on the pricing and how are you going to treat the trade of City owned property plus cash – How will the price of the property be determined? (The Value)
Answer: Because this is a formal competitive Request For Proposals process, Proposers need to submit a proposal to the City to be considered through an evaluation and scoring process and if a property exchange is proposed, the City will evaluate their piece of property and determine what the property is worth and what we could likely sell it for. Whoever the successful Proposer is, based on the evaluation and scoring results, the City and the successful Proposer may end up negotiating price.
11. **Question:** With regard to curb, gutter, and sidewalks, is that an important infrastructure piece for the Maintenance facility?
Answer: yes. These are all important infrastructure considerations.
12. **Question:** Do you expect a lot of foot traffic at the facility?
Answer: There could be foot traffic at the facility. However, depending on where the proposed property is located and if it requires being brought up to code in terms of curb, gutter and sidewalk, this will certainly be a cost consideration for the City.
13. **Question:** If the property were in the County would it be the County code or would it be what your use is?
Answer: It would have to be whatever code is applicable, given the property's location.
14. **Question:** If you have a Greenfield development and you have to put in curb, gutter, sidewalk and you have water and sewer in the street in front of you, would you consider that minimal, moderate or extensive as far as offsite/onsite improvements?
Answer: If any proposed property, designated as a Greenfield Development, does not have an existing road, the City would consider that extensive with regard to offsite/onsite improvements. Any proposed property that has water and sewer in the street in front of the property, the City would consider that moderate.
15. **Question:** It would be helpful as to a more explicit statement as to what your goals are as to what you are trying to accomplish in terms of area under roof, types of facilities etc.
Answer: At this point, the City is looking to purchase just property or property with existing facilities. However, the City shall determine if any existing facilities will adequately meet our needs or a portion of our needs for a new Core Services Maintenance Facility.

16. **Question:** We need to know what you really need; whether it is one (1) building, multiple buildings, square footage under roof, roll up doors what kind of criteria are you looking for in your buildings.
Answer: At this point, the City is looking to purchase just property or property with existing facilities. However, the City shall determine if any existing facilities will adequately meet our needs or a portion of our needs for a new Core Services maintenance Facility.
17. **Question:** Under evaluation criterion “Location”, you have ten points for location and zoning and eight points for a mile out but it is not clear if location and zoning are different.
Answer: A Proposer will earn ten (10) bonus points if the property is within the target area, illustrated on the map in Exhibit A of the RFP. The proposed property does not have to meet the zoning at the time the proposal is submitted, but has to be within the target area to get the full ten (10) bonus points.
18. **Question:** Could you help explain the zoning requirement, not very many properties are zoned public facility, do you mean light, heavy industrial.
Answer: Light Industrial.
19. **Question:** Would it be possible to have a property of 10 acres, or would that be too small and possibly add additional site – two sites not contiguous but close by would that be possible.
Answer: We are looking for one contiguous 20 acre parcel.
20. **Question:** What is the second City owned property available for an exchange down the street from City Hall.
Answer: This property is the current Public Works Yard. It is located at the north end of Mogollon. The physical address is 419 N. Mogollon St. You can see this property and existing facilities on the map that can be downloaded from the RFP posting on the City’s website. Once you open up the posting, go to “Related Documents” and click on the file that says: “Current Core Services yard Aerial”. This property is approximately 7 acres, located in a residential area and adjacent to three schools.
21. **Question:** Is there a current phase one on the maintenance yard?
Answer: There is a current, up to date, phase I and phase II environmental report and it is posted on the City’s website. These environmental reports are located in the environmental information file in the RFP posting under “Related Documents”.
22. **Question:** Stated requirement is 20 acres please point out where that is located and where does it state in the criteria the size of lot being evaluated?
Answer: The RFP document specifically states “approximately 20 contiguous acres” on Page 13, under “Project Description”, Section I, “Introduction”, and on page 15, under Section 4, “Scope of Work”.

23. **Question:** *Have you considered the timeline process for the predevelopment agreement? Does that happen post selection or will you attach it to the procurement or will you allow that to be negotiated after you select the individual?*

Answer: *If we understand the question correctly, there will not be a predevelopment agreement. At this point, the City is looking to purchase just property or property with existing facilities. Once the City has selected and awarded the purchase and sale agreement for the property, the City will then conduct a separate competitive solicitation (most likely a Request For Statement of Qualifications) for a Design/Build contractor to construct the necessary facilities on the property.*

24. **Question:** *After you submit your RFP what would be the timelines we are looking at, as far as the evaluation process?*

Answer: *At this time we do not have a definitive timeline, as it will depend on how many proposals we receive and how detailed they are. Proposers should note that the City requires an offer in response to this solicitation to be valid and irrevocable for ninety (90) days after the opening time and date. The City also requires that the successful Proposer hold the negotiated offer price for 180 days, post award, to allow sufficient time for the City to conduct due diligence.*

25. **Question:** *Where is the closing date considered in the process.*

Answer: *Basically, the City has 180 days, post award of Purchase and Sale Agreement, to conduct its due diligence on the selected property before close of escrow.*

26. **Question:** *Cost of holding properties are you asking us to keep our property available at a certain price for nine months?*

Answer: *Any proposed offer price for your property shall be irrevocable for a minimum of ninety (90) days. However, if the evaluation, scoring and selection process goes beyond the ninety (90) days, the City and the successful Proposer may negotiate and extend the offer price. In addition to the ninety (90) days or (3-months), the City also requires that the successful Proposer hold the negotiated offer price for 180 days or (6-months) post award, to allow sufficient time for the City to conduct due diligence. So, essentially, the successful Proposer could end up holding their proposed property for a total of nine (9) months.*

27. **Question:** *How closely did you pay attention to the ADOT/COF Milton discussion and how did that inform what you are doing here?*

Answer: *That was not part of any of our discussions.*

28. **Question:** *Are you going to be able to comply with the 1031 tax deferred exchange for the seller?*

Answer: *Yes.*

29. **Question:** Are you going to have a draft Purchase and Sale Agreement that Proposers can review before the proposal due date?

Answer: Yes. A draft copy of the Purchase and Sale Agreement has been posted to the City's website under "Bid Opportunities". To access "Bid Opportunities", you will need to go to the City's website home page, click on "Popular Links", and then click on "Bid Opportunities" and then locate the RFP posting "Property For Core Services Maintenance Facility". You will then click on the RFP posting to open it up and scroll down to the bottom of the posting to download the draft Purchase and Sale Agreement.

30. **Question:** Is there a previous conceptual plan that was prepared for the new City's core services maintenance facility? I would imagine that some work/plan was done when deciding if the McAllister property (or perhaps some other property) was feasible for the facility and that it would be publicly available. There must be something that shows the size, type of buildings and infrastructure actually needed, necessary utility sizes, etc. else how could the City determine that they need 20 acres and how to judge the proposals. If there is such a plan, can I please get a copy?

Answer: The City does have a conceptual plan, based on a comprehensive study conducted in 2010, which recommends size, type of buildings and infrastructure needed, taking into consideration future growth. At the present time, we only have one (1) copy of this study. So, we are making every effort to make this study available on a CD to all prospective Proposers who have completed and forwarded an "Acknowledgement of Receipt" form.

31. **Question:** Where does the City currently obtain cinders for road snow/ice protection measures and other city uses?

Answer: Coconino County

32. **Question:** Why was it decided that the City's McAllister property not be the new location for the facility? What were the limiting factors for that property? Is there public information on that topic and how would I get that?

Answer: The City has not definitively decided that the McAllister Ranch would not be a good location for the new Core Services Maintenance Facility. In the RFP, under Proposal Format/Submittal section, evaluation criterion (B) "Offer Price", there is language that states: "The City reserves the right to reject all proposals as submitted and use the McAllister Ranch for the new Core Services Maintenance Facility". Since the McAllister Ranch is still being considered as a competing property, we are not at liberty to disclose what limiting factors exist, while we are in the middle of a formal RFP process.

33. **Question:** We were told in today's meeting that the City's determination of what constitutes "quality of Onsite and Offsite Infrastructure" is what is required by the appropriate governing body's codes and ordinances for a maintenance facility use. So if I am to understand that correctly, then for example if the property is in the County and curb, gutter and sidewalk is not a required amenity by the County for a maintenance facility such as the City needs, then curb, gutter and sidewalk in place would not be necessary as "quality infrastructure" in the scoring. Would that be correct?

Answer: Yes, that is correct.

34. **Question:** If a Proposer's property is considerably more than the specified "approximately 20 contiguous acres", does the proposer need to complete the "exceptions" form in the RFP and submit with their proposal response?
Answer: *No. However, if a Proposer's property is considerably less than the specified "approximately 20 contiguous acres", the Proposer shall complete the "Exceptions" form in the RFP and provide an explanation for the exception. Depending on the exception taken, the proposal may be deemed "non-responsive" and will not be considered or evaluated.*
35. **Question:** At the conference, they spoke of addenda coming out, If I turn my proposal in and another comes out, what is the procedure?
Answer: *Your proposal response shall be forwarded back to you, un-opened, and you will have the opportunity to make any revisions you deem appropriate, given the information outlined in the addendum.*
36. **Question:** You requested 5 copies. do you want 5 copies of all maps, photos etc.? Do you want 5 separate binders?
Answer: *The information referenced in the RFP document, under "Instructions to Proposers", number 2 letter h. does state five (5) copies. However, please be advised that this language is being revised and Proposers are to submit a total of nine (9) copies (one (1) original and eight (8) copies) all in separate binders.*
37. **Question:** Since I AM responding, and have faxed in the acknowledgment of receipt form, do I still need to fill out and include the no response form?
Answer: *No. Only prospective Proposers who decide not to submit a proposal response need to complete and submit a "No Response" form.*
38. **Question:** After all offers have been submitted and the 90 day 'look period' is over, when will the city close on the property (i.e. if the property is chosen, how long until the property is closed on)? If there should be another offer made on the property during the proposal process, when can the owner re-market or re-sell the property after the proposal has been submitted?
Answer: *The 90 days is applicable to number 17, "Offer Acceptance Period", under "Standard Terms and Conditions". In other words, any and all proposal responses submitted to this RFP shall be irrevocable for 90 days. The successful Proposer shall hold their negotiated offer price for 180 days, post award, to allow sufficient time for the City to conduct due diligence.*
39. **Question:** In the event of the proposer indicating willingness to trade property with the City, is the City willing and/or able to participate in a IRS 1031 Tax Free Exchange, whereby the City would sign a document allowing the proposer to bring a third leg property in on the exchange?
Answer: *This question is still being researched and the answer will be included in the second addendum, which will go out shortly after the September 11th deadline to submit questions.*

40. **Question:** In the event of the proposer indicating willingness to trade property with the City, is the City willing and/or able to agree to sell the property with a letter from the City indicating that they are taking the land "under threat of condemnation" pursuant to IRS Code 1033?

Answer: *This question is still being researched and the answer will be included in the second addendum, which will go out shortly after the September 11th deadline to submit questions.*

41. **Question:** When will the City be scheduling a time for interested proposers to view the City owned properties available for trade? Will the City be indicating this schedule on the City of Flagstaff Bid Opportunities website as a related document included with the RFP (as was done with the Environmental Information, Pre-Proposal Conference Attendance Log, etc.)?

Answer: *Same as question and answer to number 4. The City has made arrangements for prospective Proposers to tour the two (2) City owned properties, available for exchange. The established dates and times for the tours for both properties are as follows:*

- 1.) *McAllister Ranch—3366 W. Route 66
Thursday, August 29th from 3:00 p.m. to 4:00 p.m.
Thursday, September 5th from 3:00 p.m. to 4:00 p.m.*
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Prospective Proposers who would like to participate in any tours of the two City owned properties, shall RSVP by contacting Di Ann Butkay, Purchasing Division Administrative Specialist at 928/213-2206 or dbutkay@flagstaffaz.gov

42. **Question:** For the McAllister Ranch property (please see attached map), is any of the 19.47 acres of the property (indicated on map in orange) in a flood way or flood plane? If so, how much of the property is in a flood way or flood plane? Can the City provide a map which specifically indicates any and all flood way or flood plain areas on the McAllister Ranch property? This question is for the proposer's clarification, as the map attached does not show specifically any flood way or flood plain areas in the 19.47 acres, but during the Pre-Proposal Conference on August 15th, City staff indicated when showing the map that major portions of the property are in a flood plane, which is inconsistent with the map itself.

Answer: *This question is still being researched and the answer will be included in the second addendum, which will go out shortly after the September 11th deadline to submit questions.*

The balance of the RFP package shall remain the same. All proposers are to acknowledge receipt of this addendum by signing and submitting along with their proposal response.

NOTE: SIGNATURE PAGE FOLLOWS.

Name of Firm

Authorized Signature

Date