



MEMORANDUM

TO: Prospective Bidders

FROM: Johnna M. Allen, Purchasing Director

RE: Request for Proposal - #036-16

DATE: October 21, 2016

Enclosed is the necessary information for preparing and submitting your Proposal for **Right to Acquire and Redevelop West Third Street Property** for the City of Rome. All questions regarding this proposal should be submitted via e-mail to Johnna Allen, jallen@romegeorgia.us. All questions and answers will be posted on the City of Rome website www.romefloyd.com. It will be the responsibility of interested parties to visit the website often to receipt of any new information that may be made available.

The deadline for submitting your proposal is **December 1, 2016 at 3:00 p.m. Local time.**

If you have further questions, please do not hesitate to call my office at 706-236-4410.

Johnna M. Allen
Purchasing Director

INSTRUCTIONS FOR BIDDERS

I. Proposals must be received by **December 1, 2016 at 3:00 p.m.**

II. Proposals must be delivered to:

City of Rome – Purchasing Department
Attention: Johnna M. Allen
601 Broad Street
P.O. Box 1433
Rome, Georgia 30162

III. Proposals must be sealed and marked:

“036-16 “RIGHT TO ACQUIRE AND REDEVELOP WEST THIRD STREET PROPERTY”

IV. Proposals must be complete and include:

- A. Completed Bid Proposal Form
- B. Executed Bidder’s Declaration
- C. Executed Certificate of Non-Discrimination
- D. Executed Affidavit of Non-Collusion
- E. Prompt Payment Affidavit
- F. Request for Taxpayer I.D. Number
- G. Drug-Free Workplace Certification
- H. E-Verify Compliance Affidavit
- I. SAVE Compliance Affidavit

Price proposals must be sent in a separate sealed envelope marked **“036-16 PRICE PROPOSAL”**.

All proposals submitted shall be subject to acceptance or rejection and the City of Rome specifically reserves the right to accept or reject any or all bids, to waive any technicalities and formalities in the bidding.

Bidder shall submit all required forms and information simultaneously with sealed proposals, which forms and information become a part of the property of the City of Rome and will not be returned to bidders unless a written request to withdraw is received prior to **December 1, 2016 @ 3:00 p.m.**

V. Payment:

When contracts are awarded, payment by the City of Rome will be the normal 30-day cycle. However, the City does make every effort to honor all discounts.

REQUIREMENTS FOR BIDDERS

These items apply to and become a part of the terms and conditions of the bidders bid. Any exceptions must be in writing.

Notice is hereby given that the City of Rome will receive sealed proposals from interested parties until **December 1, 2016 at 3:00 P.M.** at its offices located at 601 Broad Street, Rome, Georgia 30162-1433.

Any bids received thereafter will not be considered.

Proposals will be publicly opened and read at the City of Rome Purchasing Department located at 601 Broad Street on the day and at the hour specified.

The purchaser may consider as non-responsive, any bid in which there is an alteration of, or departure from the bid form hereto attached.

The bid will be awarded to the lowest reliable bidder complying with the conditions of the invitation for bid. The bidder to whom award is made will be notified at the earliest possible date. The purchaser reserves the right to reject the bid of a bidder who has previously failed to perform properly or complete on time, contracts of a similar nature, or the bid of a bidder who, in the sole opinion and discretion of the purchaser is not in a position to perform the contract, or whose name appears on the United States Comptroller General's list of ineligible contractors.

Proposals may be withdrawn by written or faxed request, provided such withdrawals are received prior to Proposal opening date.

NOTE: Unless stated on the bid form the bid submitted will assume all specifications will be met. Please note on the bid form all exceptions.

Request for Proposal
Right to Acquire and Redevelop West Third Street Property
Proposal # 036-16

I. Overview

The City of Rome is seeking proposals from qualified individuals or firms for the right to acquire and develop riverfront property located at or near 326 West Third Street in Rome, Georgia, 30165. This project site consists of approximately 2.14 acres of level ground bound on the south side by the Oostanaula River levee, on the east by commercial development, the contiguous property to the west, a new 128 room Courtyard by Marriott is being constructed and on the north by West Third Street. The site is zoned Urban Mixed Use (UMU), the most flexible zoning designation within the city and lies between Floyd Medical Center's main campus and Historic Downtown Rome. The site is currently free of structures and has served as asphalt surfaced parking that could be available for construction almost immediately. The property is part of the West 3rd Redevelopment Area, which is eligible for participation as a tax allocation district (TAD) as well as being a State of Georgia designated, Opportunity Zone. Additionally, through the City of Rome's downtown master planning efforts, redevelopment to the northeast is underway as the area is transitioning into the Fifth Avenue Arts District/River District.

The evaluation and selection of the successful individual, firm or firms and the negotiations for acquisition and development will proceed as follows:

Submission of Proposals: Individuals or firms that wish to participate must submit responses as directed in this Request for Proposal (RFP) package. Any and all costs related to the preparation submittal and presentation of the response package is the sole responsibility of the respondent and will not be assumed in whole or in part by the City of Rome.

Proposals must be received no later than **Friday December 1, 2016 at 3:00 P.M. local time.**

An original and six (6) hard copies of each response as well as an electronic copy of this RFP shall be submitted in a sealed box or envelope to:

City of Rome
601 Broad Street
P.O. Box 1433
Rome, Georgia 30162-1433
Attn: Johnna Allen

Submitting firms shall write on the face of the sealed box or envelope:

REQUEST FOR PROPOSAL # 036-16 "RIGHT TO ACQUIRE AND REDEVELOP WEST THIRD STREET PROPERTY"

Any inquiries regarding the response package shall be in writing and addressed to:

City of Rome Georgia
Purchasing Department
601 Broad Street
P.O. Box 1433
Rome, GA 30162-1433

Contents of Proposals:

The City of Rome intends to award a contract or contracts for the sale and development of the advertised property to a qualified individual, firm or firms whose response, together with any information developed in any follow-up oral interview, provides the greatest value to the City of Rome. Responders will be evaluated on the basis of information provided in their response (together with any such interview and site plan), which response shall, at a minimum, include the following information:

- Firm name, address, nature of entity (partnership, corporation, joint venture, etc.), and general background.
 - Organizational profile including, without limitation, the following:
 - Organizational chart
 - Ownership of the firm
1. Provide a portfolio of representative jobs of similar scope and cost previously completed by you or your firm. Provide name of owner, contact person and telephone number, and name of responsible person in your firm. State whether you have ever acted as the developer in projects involving: (a) construction management at-risk; (b) fast track or phased construction; (c) design/build, or (d) other forms of project delivery.
 2. Have you ever been sued or been subjected to arbitration? If so, state the name and address of the party asserting a claim against you, and the nature and outcome of the dispute.
 3. Have you, or any of your employees, ever filed for bankruptcy, been declared insolvent, or otherwise been involved in insolvency proceedings?
 4. Is your firm bondable for the full cost of the project?
 5. State a lump sum amount for property being purchased and method of payment. State any assistance that may be required from the City of Rome such as a request for tax allocation funding or assistance with utilities.

6. Provide a site plan describing the building, layout, the specific property size and description of property desired, if not the whole tract.
7. Provide any and all additional information which you believe is pertinent to your evaluation by the Evaluation Team.
8. Proposed start and completion date for the project.
9. Total estimated value of the proposed development.
10. Have you or your firm worked with a TAD or other types of development districts?

II. PROPOSAL REVIEW AND EVALUATION

The City of Rome will review and evaluate the written responses to this RFP. One or more individuals or firms may be selected for further competition and may be required to participate in a detailed oral interview to answer questions. All persons with major responsibilities for oversight, management, construction and administration should be present at the interview.

The property included in the RFP is owned solely by the City of Rome. The parcel is identified by the Property Identification Number (PIN) as found on the Floyd County Tax Map: J14D 001.

The City of Rome reserves the right to reject any and all submissions and its decision to do so shall be final.

III. EVALUATION FACTORS

Proposals submitted will be subject to the following evaluation process:

1. All proposals will be evaluated individually on their merits including the price offered for the tract of property.
2. The evaluation will consist of a qualitative review of the following factors, each with a 10-point maximum:
 - Proposed use of the subject property.
 - Compatibility of the proposed project to the adjacent development and riverfront.
 - Architectural quality, look and feel of the project (per your proposed site plan).
 - Economic and intrinsic value of proposed development.
 - Proposed projects ability to directly and positively impact downtown, by complimenting other venues such as The Forum Civic Center, Floyd Medical Center or Barron Stadium.
 - Method of financing.
 - Capability to develop the project in a timely manner.
 - Past performance in terms of development quality and sustained success.

- Any experience of the individual or firm of past performance at other similar projects.
- Price offered for the property will be one factor, though not the prime factor in this decision.

The individual or firm is encouraged to submit references, resumes, examples of work or other data that will help the review panel make objective determinations of the above.

The City of Rome may choose to enter into a contract with the chosen entity to develop the property in conformity with the selected proposal.

BIDDERS DECLARATION

The bidder understands, agrees and warrants:

That the bidder has carefully read and fully understands the full scope of the specifications:

That the bidder has the capability to successfully undertake and complete the responsibilities and obligations in said specifications.

That the bidder has liability insurance and a declaration of insurance form is included in the bid package.

That this bid may be withdrawn by requesting such withdrawal in writing at any time prior to **December 1, 2016 at 3:00 p.m.** but may not be withdrawn after such date and time.

That the City of Rome reserves the right to reject any or all bids and to accept that bid which will, in its opinion, best serve the public interest. The City of Rome reserves the right to waive any technicalities and formalities in the bidding.

That by submission of this bid the bidder acknowledges that the City of Rome has the right to make any inquiry or investigation it deems appropriate to substantiate or supplement information supplied by the bidder.

If a partnership, a general partner must sign.

If a corporation, the authorized corporate officer(s) must sign and the corporate seal must be affixed to this bid.

BIDDER:

Name

Title

Name

Title

AFFIX CORPORATE SEAL (If Applicable)

CERTIFICATE OF NON-DISCRIMINATION

In connection with the performance of work under this contract, the bidder agrees as follows:

The bidder agrees not to discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, ancestry or disability. The vendor shall take affirmative action to insure that employees are treated without regard to their race, creed, color, sex, national origin, ancestry or disability. Such action shall include, but not be limited to the following: employment, upgrading, demotion, transfer, recruiting or recruitment, advertising, lay-off or termination, rates of pay or other compensation and selection for training, including apprenticeship.

In the event of the bidder's non-compliance with this non-discrimination clause, the contract may be canceled or terminated by the City of Rome. The bidders may be declared, by the City of Rome, ineligible for further contracts with the City of Rome until satisfactory proof of intent to comply shall be made by the vendor.

The bidder agrees to include this non-discrimination clause in any sub-contracts connected with the performance of this agreement.

BIDDER

SIGNATURE

TITLE

NON-COLLUSION AFFIDAVIT

The following affidavit is to accompany the bid:

STATE OF

COUNTY OF

Owner, Partner or Officer of Firm

Company Name, Address, City and State

Being of lawful age, being first duly sworn, on oath says that he/she is the agent authorized by the bidder to submit the attached bid. Affidavit further states as bidder, that they have not been a party to any collusion among bidders in restraint of competition by agreement to bid at a fixed price or to refrain from bidding; or with any office of the City of Rome or any of their employees as to quantity, quality or price in the prospective contract; or any discussion between bidders and any official of the City of Rome or any of their employees concerning exchange of money or other things of value for special consideration in submitting a sealed bid for:

FIRM NAME _____

SIGNATURE _____

TITLE _____

Subscribed and sworn to before me this ____ day of _____ 20 ____

NOTARY PUBLIC

STATE OF GEORGIA PROMPT PAY ACT AFFIDAVIT

THIS AFFIDAVIT IS TO ACCOMPANY THE BID

GEORGIA PROMPT PAY ACT: The Georgia Prompt Pay Act was enacted by the General Assembly in 1994 and took effect January 1, 1995. This act requires owners to pay contractors within 15 days of receipt of a pay request by the owner or the owner's representative. If payment is not made the owner shall pay the contractor 1% per month interest on the delayed payment. Additionally, the contractor must pay subcontractors within 15 days of receipt of payment from the owner.

This Act is Code Section 13-11-1 (Georgia Laws of 1994, p. 1398 par. 4)

Firm Name: _____

Signature: _____

Title: _____

Subscribed and Sworn to before me this _____ day of _____, 20_____

Notary Public

Request for Taxpayer Identification Number and Certification

**Give Form to the
 requester. Do not
 send to the IRS.**

Print or type See Specific Instructions on page 2.	<p>1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.</p> <hr/> <p>2 Business name/disregarded entity name, if different from above</p> <hr/> <p>3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ <input type="checkbox"/> Other (see instructions) ▶ _____</p> <p style="font-size: small;">Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner.</p> <p><input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate</p>
	<p>4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i></p>
	<p>5 Address (number, street, and apt. or suite no.)</p> <hr/> <p>6 City, state, and ZIP code</p> <hr/> <p>7 List account number(s) here (optional)</p>
	Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number						
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Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here	Signature of U.S. person ▶	Date ▶
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/fw9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.

By signing the filled-out form, you:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
- Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

CITY OF ROME

DRUG-FREE WORKPLACE CERTIFICATE

By signature on this certificate, the Bidder certifies that the provisions of O.C.G.A. Section 50-24-1 through 50-24-6 related to the "Drug-Free Workplace Act" will be complied with in full. The Bidder further certifies that:

1. A drug-free workplace will be provided for the Bidder's employees during the performance of the contract; and
2. Each contractor who hires a subcontractor to work in a drug-free workplace shall secure from that subcontractor the following written certification: "As part of the subcontracting agreement with (contractor's name), (subcontractor's name) certifies to the contractor that a drug-free workplace will be provided for the subcontractor's employees during the performance of this contract pursuant to O.C.G.A. Section 50-24-3(b)(7)."

By signature on this certificate, the Bidder further certifies that it will not engage in the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana during the performance of the contract.

Bidder: _____

By: _____

Name Printed: _____

Title: _____

Date: _____

CITY OF ROME, GEORGIA
E-VERIFY COMPLIANCE AFFIDAVIT

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of the City of Rome, Georgia has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A, § 13-10-91 (b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

Federal Work Authorization User Identification number
(Not Required if Less than 10 Employees)

Signature (if less than 10 employees)

Date of Authorization

Name of Contractor

Name of Project

Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, _____, 20____ in _____(city) _____ (state).

Signature of Authorized Officer or Agent

Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE _____ DAY OF _____, 20_____

NOTARY PUBLIC
My Commission Expires:

CITY OF ROME, GEORGIA

SAVE COMPLIANCE AFFIDAVIT

O.C.G.A § 50-36-1(e) (2) Affidavit

By executing this affidavit under oath, as an applicant for a (n) Contract or Services, as referenced O.C.G.A. C. § 50-36-1, from the City of Rome, Georgia, the undersigned applicant verifies one of the following with respect to my application for a public benefit:

- 1) _____ I am a United State citizen.
- 2) _____ I am a legal permanent resident of the United States
- 3) _____ I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency. My alien number issued by the Department of Homeland Security or other federal immigration agency is: _____.

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document, as required by O.C.G.A. § 50-36-1(e) (1), with this affidavit.

The secure and verifiable document provided with this affidavit can best be classified as:

_____.

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20, and face criminal penalties as allowed by such criminal statute.

Executed in _____ (city), _____ (state).

Signature of Applicant

Name of Applicant Printed

SUBSCRIBED AND SWORN

BEFORE ME ON THIS THE

_____ DAY OF _____, 20_____

NOTARY PUBLIC

My Commission Expires: