



## MEMORANDUM

TO: Prospective Proposers

FROM: Becky Smyth, Purchasing Director

RE: Request for Proposal - #037-20 Right to Acquire and Develop West Third Street Property

DATE: October 13, 2020

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Enclosed you will find the necessary information for preparing and submitting your proposal for a qualified firm or individual with the experience and resources necessary to present a RFP for the **Right To Acquire and Develop West Third Street Property** for the City of Rome, Georgia.

The deadline for submitting your proposal is **December 17, 2020 at 11:00 a.m.**

Interested parties may receive a copy of the proposal request by logging on to the City of Rome Georgia Website at [www.romefloyd.com](http://www.romefloyd.com). All questions regarding the proposal should be sent to Jackson Abercrombie, [jabercrombie@romega.us](mailto:jabercrombie@romega.us) no later than **December 4, 2020 at 5:00 p.m.** All questions and answers will be posted on the City of Rome website. It is the responsibility of interested parties to visit the site regularly to insure receipt of any new information that may be provided.

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

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Becky Smyth  
Purchasing Director

## INSTRUCTIONS FOR PROPOSERS

I. Proposals must be received by **December 17, 2020** at **11:00 a.m.**

II. Proposals must be delivered to:

City of Rome Purchasing  
601 Broad Street  
Rome, GA 30161

III. Proposals must be sealed and marked:

**“Proposal # 037-20 Right to Acquire and Develop West Third Street Property”**

IV. Proposals must be complete and include:

- A. Completed Proposal Form
- B. Executed Proposer’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. Completed Drug-Free Certificate
- H. SAVE Affidavit
- I. E-Verify Affidavit

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 proposals, to waive any technicalities and formalities in the RFP process.

Proposer 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 Proposers unless a written request to withdraw is received prior to **December 17, 2020 at 11:00 a.m.**

## REQUIREMENTS FOR PROPOSERS

These items apply to and become a part of the terms and conditions of the proposer's proposal. Any exceptions must be in writing.

Notice is hereby given that the City of Rome will receive sealed proposals from interested parties until **December 17, 2020 at 11:00 a.m.** at its offices located at 601 Broad Street, Rome, Georgia 30161.

Any proposals 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 proposal in which there is an alteration of, or departure from the proposal form hereto attached.

The City of Rome will review and evaluate the RFP responses, and determine the firm that demonstrates the greatest capabilities and relevant experience, proposes a reasonable cost, and is the most advantageous in fulfilling the City's goals for this project. The City of Rome reserves the right to accept, reject, and/or negotiate any or all proposals as determined by them to be in the City's best interest. The proposer to whom award is made will be notified at the earliest possible date. The purchaser reserves the right to reject the proposal of a proposer who has previously failed to perform properly or complete on time, contracts of a similar nature, or the proposal of a proposer 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 proposal form the proposal submitted will assume all specifications will be met. Please note on the proposal form all exceptions.

## **NOTICE TO PROPOSERS**

It is the sole responsibility of the proposer(s) to ensure that proposals reach the Purchasing Department on or before the closing date and time. The City of Rome shall not be held responsible for delays caused by any situation. Offers by telephone, facsimile, or email will not be accepted.

The City of Rome will not be responsible for late deliveries or delayed mail. The proposal opening time shall be strictly observed. Under no circumstances shall proposals delivered after the specified time be considered.

Proposers should visit the site to perform an inspection to fully understand the scope and logistics of the project. While site inspections are not a mandatory requirement to submit a proposal, vendors are urged to schedule inspections to ascertain all the requirements of this invitation.

Failure to restrict contacts or discussion regarding this RFP to the City of Rome Purchasing Department will be considered a serious breach of process and may, at the sole discretion of the City of Rome, result in disqualifying the violating party's firm from further consideration in this RFP opportunity. Additionally, any unauthorized contact with members of the City Commission or City employees by a proposer or a proposer's representative concerning this proposal may result in the disqualification of the proposer.

The City of Rome reserves the right to accept or reject any and all proposals, to waive any irregularity in proposals received, to award the entire proposal to one contractor or to make awards by group or by line item whichever is in the best interest of the City of Rome. Additionally, the City of Rome may unilaterally terminate this contract in whole or in part, for its convenience, availability of unobligated funds, or because of failure of the proposer to fulfill the contract obligations in any respect.

## **RFP # 037-20 Right to Acquire and Develop West Third Street Property**

### **RFP OVERVIEW**

The City of Rome is seeking proposals from qualified individuals or firms for the right to acquire and develop property located at or near 326 West Third Street in Rome, Georgia 30165. The site consists of approximately 2.2 acres of level, riverfront property that has been used as a surface parking lot and a retail glass store. The site is in the heart of the City of Rome's Exciting new River District and is presently zoned Urban Mixed Use (UMU.) The property is across the street from Historic Barron Stadium, The Downtown tennis Center, and Floyd Medical Center's main campus. Additionally, the site lies directly adjacent the Courtyard by Marriott Rome and connects to Historic Downtown Rome by the Chief John Ross Pedestrian Bridge.

The site is currently clear of any structures and could be available for construction almost immediately.

The property included in this RFP is owned solely by the City of Rome and is Parcel Identification Number (PIN) as found on the Floyd County Tax Map: **J14D 001**

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

### **SUBMISSION OF PROPOSALS**

Individuals or firms that wish to participate must submit responses as directed in this Request for Proposal 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 **December 17, 2020 at 11:00 a.m. local time.**

One (1) original, five (5) copies, and one electronic copy of each response to this Request for Proposals (RFP) shall be submitted in a sealed box or envelope to:

City of Rome  
Purchasing Department  
601 Broad Street  
Rome, Georgia 30161  
Attn: Becky Smyth

The sealed envelope or box should be labeled:

**Request for Proposal # 037-20 Right to Acquire and Develop West Third Street Property**

Any inquiries regarding the RFP package must be submitted in writing to Jackson Abercrombie at [jabercrombie@rome.ga.us](mailto:jabercrombie@rome.ga.us) by **5:00 p.m. on December 4, 2020.**

## **CONTENTS OF PROPOSAL**

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:

1. Firm name, address, nature of entity (partnership, corporation, joint venture, etc.), and general background.
2. Organizational profile/chart.
3. Ownership of the Firm.
4. Provide a portfolio of representative jobs of similar scope and cost previously completed by you or your firm. Provide name of owner, contact person, telephone number, and name of responsible person in your firm. This section should include a brief history of the company, including the company history, office locations, and company executive. Project team members that will be assigned to this development must be identified clearly, including their team roles and qualifications. The resumes of all key staff must be included. Provide references where projects completed are similar in scope and have been completed within the last ten (10) years. References should contain the name of the organization for which the services were completed, name, and address of a contact person. Financial statements of the company for the past five (5) years must be submitted for review. If partnering with other firms is proposed, identify project team members and roles for all participants.
5. Have you ever been sued or 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.
6. Have you, or any of your employees, ever filed for bankruptcy, been declared insolvent, or otherwise been involved in insolvency proceedings?
7. Is your firm bondable for the full cost of the project?
8. 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.
9. Provide plans of clearly dimensioned drawings showing the site plan, circulation and parking, building footprints, floor plans, and elevations / architectural renderings of all proposed buildings on the site is required. The location of any proposed amenities should be indicated.
10. Provide any and all additional information which you believe is pertinent to your evaluation by the Evaluation Team.
11. Proposed start and completion date for the project.
12. Total estimated value of the proposed development.
13. Have you or your firm worked with a TAD or other types of development districts?

## **PROPOSAL EVALUATION PROCESS**

Proposals will be evaluated by a committee comprised of City representatives and the Project Steering Committee. The evaluation process will include review of qualifications, proposed schedule and costs, and other information submitted with the proposal. Non-responsive or incomplete proposals will be rejected for further consideration.

As part of the evaluation process, one or more individuals or firms may be selected for further competition and be required to participate in a detailed oral interview to answer additional questions. All persons with major responsibilities for oversight, management, construction, and administration should be present at the interview. The City of Rome reserves the right to waive any informality or irregularity in any proposal, to reject any and all proposals, to award a proposal wholly or in part, to call for re-bid, and to negotiate with any contractor, if it is deemed in the best interest of the City of Rome to do so.

## **PROPOSAL EVALUATION FACTORS**

All 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:
  - Compatibility of the proposed project to the overall direction of planned growth for the River District. Prior planning efforts have identified a mixed-use concept with workforce housing as a critical component
  - Value of proposed development
  - Method of financing
  - Capability to develop the project in a timely manner
  - Past performance in terms of development quality and 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 reserves the right to reject and all submissions and its decision to do so shall be final.

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.

**PRPOSAL FORM**

TO: City of Rome – Purchasing Department  
601 Broad Street  
Rome, Georgia 30161  
Attn: Becky Smyth

**RFP# “037-20 Right to Acquire and Develop West Third Street Property”**

**TOTAL COST** \_\_\_\_\_

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 proposals, to waive any technicalities and formalities in the procurement process.

The undersigned understands that any conditions stated above, clarifications made to the above or information other than that requested should be under separate cover and to be considered only at the discretion of the Purchasing Department.

\_\_\_\_\_  
Name of Individual, Partner  
or Corporation

\_\_\_\_\_  
Company

\_\_\_\_\_  
Title

\_\_\_\_\_  
Address

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Company phone number

Please Attach Company Contact’s Business Card:

PROPOSERS DECLARATION

The proposer understands, agrees and warrants:

- That the proposer has carefully read and fully understands the full scope of the specifications.
- That the proposer has the capability to successfully undertake and complete the responsibilities and obligations in said specifications.
- That the proposer has liability insurance and a declaration of insurance form is included in the proposal package.
- That this proposal may be withdrawn by requesting such withdrawal in writing at any time prior to **December 17, 2020 11:00 a.m.** but may not be withdrawn after such date and time.
- That the City of Rome reserves the right to reject any or all proposals and to accept that proposal 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 procurement process.
- That by submission of this proposal the proposer 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 proposer.
- 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 proposal.

PROPOSER:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

AFFIX CORPORATE SEAL (If Applicable)

## CERTIFICATE OF NON-DISCRIMINATION

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

The proposer 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 ensure 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 proposer's non-compliance with this non-discrimination clause, the contract may be canceled or terminated by the City of Rome. The proposers 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 proposer agrees to include this non-discrimination clause in any sub-contracts connected with the performance of this agreement.

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PROPOSER

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SIGNATURE

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TITLE

**NON-COLLUSION AFFIDAVIT**

The following affidavit is to accompany the proposal:

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 proposer to submit the attached proposal. Affidavit further states as proposer, that they have not been a party to any collusion among proposers in restraint of competition by agreement to proposal at a fixed price or to refrain from proposing; 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 proposers 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 proposal 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 PROPOSAL

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



**CITY OF ROME**

**DRUG-FREE WORKPLACE CERTIFICATE**

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By signature on this certificate, the Proposer 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 Proposer further certifies that:

1. A drug-free workplace will be provided for the Proposer’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 Proposer 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.

Proposer: \_\_\_\_\_

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

\_\_\_\_\_  
Printed Name of Applicant

SUBSCRIBED AND SWORN

BEFORE ME ON THIS THE

\_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:



The Forum Civic Center & Royal County Historic Courthouse

# Site Location

