



**City of Fenton
Downtown Development Authority**

301 South Leroy Street Fenton, Michigan 48430-2196 (810) 629-2261 Fax (810) 629-2004

November 1, 2006

The City of Fenton Downtown Development Authority (DDA) will receive sealed proposals at the City Clerk's Office, 301 South Leroy Street, Fenton, Michigan 48430-2196, for the Redevelopment of the Historic Fire Hall on **February 1, 2007 at 2:00 p.m.**

Proposals will be publicly opened and read at 2:15 p.m. that day in the conference room of the Fenton City Office, 301 South Leroy Street, Fenton, Michigan. **Proposals shall be submitted in sealed envelopes and plainly marked "PROPOSAL FOR REDEVELOPMENT OF HISTORIC FIRE HALL - CITY OF FENTON DDA."**

Proposals are being solicited only from responsible and established bidders known to be experienced and regularly engaged in similar development efforts. Satisfactory evidence that the bidder has the necessary capital, equipment and personnel to do the work will be required.

Proposal forms and specifications are on file for the inspection of bidders at the Fenton City Offices, 301 South Leroy Street, Fenton, Michigan and copies may be obtained by qualified bidders. Sealed proposal must be submitted on bid forms furnished by the City.

The City of Fenton DDA reserves the right to reject any and all proposals and to accept any proposal which, in their opinion, is most advantageous to the City.

BD Morgan

Brent D. Morgan
City of Fenton DDA

cc: Michael Senyko, City Manager

REQUEST FOR QUALIFICATIONS AND PROPOSALS

REDEVELOPMENT OF HISTORIC FIRE HALL

201 South Leroy Street

City of Fenton, Michigan

NOVEMBER 1, 2006



Issued By:

City of Fenton Downtown Development Authority
301 South Leroy Street
Fenton, Michigan 48430
(810) 629-2261
Fax (810) 629-2004

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I. General Requirements

Qualification Requirements

Proposals are solicited only from responsible firms known to be experienced and regularly engaged in work of similar character and scope to that covered in this Request for Proposals (RFP). Satisfactory evidence that the firm has the necessary capital, equipment, personnel, experience, etc. to do the work, will be required.

Pre-submission Conference and Facility Tour

All prospective firms MAY schedule a pre-submission conference and facility tour with the DDA Executive Director Brent D. Morgan. To schedule a pre-submission conference and facility tour contact the City of Fenton, Department of Economic Development at (810) 714-6031.

Response Date

To be considered, sealed proposals must be received at the City Clerk's Office, 301 South Leroy Street, Fenton, Michigan, 48430-2196, on or before the time specified in the cover letter. The City Clerk's Office is open Monday thru Friday, excluding holidays, between 9:00 a.m. and 5:00 p.m. Successful firms mailing proposals should allow normal delivery time to assure timely receipt of their proposals. Sealed envelopes containing proposals must be clearly marked on the outside with the firms's name and "PROPOSAL FOR REDEVELOPMENT OF HISTORIC FIRE HALL PROPOSAL - CITY OF FENTON DDA."

All information submitted in the proposal, including but not limited to prices, etc., must remain valid and in effect for at least ninety (90) days past the submission deadline.

Opening of Proposals

All proposals received will be publicly opened and read in the time and place specified in the cover letter. All firms are invited, but not required, to be present.

Rejection of Proposals

The Downtown Development Authority reserves the right to reject any and all proposals, to waive irregularities and/or informalities in any bid, and to make an award in any manner, consistent with law, deemed in the best interest of the City.

Alternates or Addendums

Explanations desired by a prospective bidder shall be requested of the DDA in writing prior to January 1, 2007, and if explanations are necessary, a reply shall be made in the form of an Addendum, a copy of which will be forwarded to each bidder. No inquiry or request received after this date will be given consideration. Every request for such explanation shall be in writing and addressed to: City Manager, City of Fenton, 301 S. Leroy St., Fenton, MI, 48430.

Bidders are responsible for identify the manner in which the services called for in this RFP will be provided.

Incurring Costs

The City and DDA are not liable for any costs incurred by bidders prior to entering into a development agreement with the selected bidder.

Materials Submitted

All materials submitted as part of the proposal will become property of the DDA. The DDA reserves the right to use any or all of the ideas presented.

Development Agreement Execution

The successful bidder shall, within sixty (60) calendar days after the notice to award, enter into a written development agreement with the DDA. Failure to execute such an agreement will be considered cause for annulment of the award.

Bidder Responsibility

Each bidder shall have the responsibility to fully acquaint themselves with all aspects of the conditions surrounding this redevelopment project and any or all of the other requirements as set forth in this document.

The successful bidder shall provide all of the required labor and materials, supplies, devices, or tools needed to perform the required services as mutually agreed upon with the DDA.

All equipment and work shall conform to the requirements of the Occupational Safety and Health Act and Michigan Department of Labor Occupational Safety Standards, as amended. The successful bidder shall observe the City Ordinances and shall obey all laws.

Damage to Property

The successful bidder also accepts sole responsibility for any damage to any public or private property resulting from their performance of the work. The successful will protect, defend, and hold harmless the City from any damage, claim, liability, or expenses whatsoever, arising out of or connected to this project.

Assignment or Subcontracting

The successful bidder shall not assign, subcontract, or otherwise transfer its duties and/or obligations that have not been identified in the proposal, without prior written consent of the DDA. Such consent does not release the successful bidder from any of their obligations and liabilities.

Personnel Requirements

The successful bidder shall gainfully employ all individuals according to all applicable Municipal, County, State, and Federal laws.

Fair Employment Practices

The successful bidder agrees that there will not be any discrimination against any employee or applicant for employment, to be employed in the development of the historic fire hall, with respect to hire, tenure, term, conditions or privileges of employment or any matter directly or indirectly related to employment, because of sex, race, color, religion, national origin, ancestry, handicap or other bias prohibited by the State or Federal laws or regulations.

Payment of Taxes

Without limitation on the foregoing, the successful bidder shall be solely responsible for:

- * Payment of wages to its work force in compliance with all Federal and State laws, including the Federal Wage and Hour Act.
- * Payment of any and all FICA, unemployment contributions and other payroll-related taxes or contributions required to be paid by the contractor under State and Federal law.

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- * Payment of all applicable Federal, State or Municipal taxes, charges or permit fees, whether now in force or subsequently enacted.

The successful bidder shall indemnify and hold the City of Fenton and the DDA harmless from all claims arising from the foregoing payment obligations of the successful bidder.

DDA's Right to Modify Terms of Development Proposal

The DDA reserves the right to negotiate with the successful bidder for a change in terms of the proposal and to make adjustments relative to the implementation of a change that reduces or modifies the need for the services as called for in this document. If the DDA and the successful bidder are unable to agree on a revised proposal, the DDA may seek new proposals.

II. Summary of Offering

The DDA is interested in redevelopment of a 6,000 square foot former fire station and surrounding property approximately 1 acre in area located in the heart of downtown Fenton. Area is available on the parcel for parking and possible building expansion. The building is ideally situated adjacent to the Shiawasee River, Mill Pond Park, City Hall, Community Center, and Post Office. The building is located in an important transitional area and will serve as the link between the historic central business district and the Dibbleville nodes.

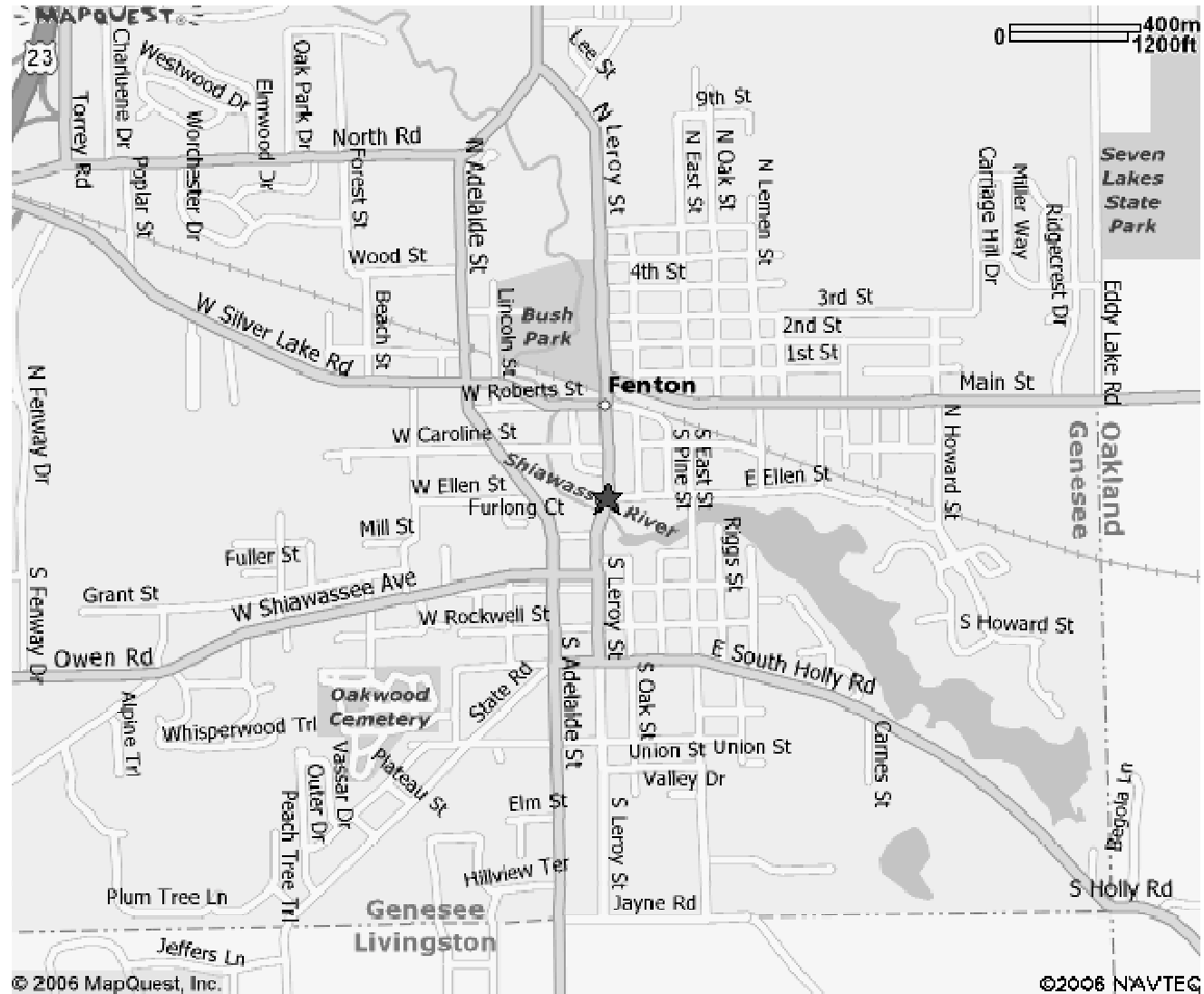
The City of Fenton is located in the southeast corner of Genesee County Michigan. The City is bound by Holly Township (Oakland County) to the east, Fenton Township (Genesee County) to the north and west, and Tyrone Township (Livingston County) to the south and is ideally situated within a 30 minute drive of several large cities, including Flint, Brighton, Flint, Ann Arbor and the northwest suburbs of Detroit. Fenton has the potential to draw from an extremely large population base over 705,000 people within a 30 minute drive.

The City of Fenton Downtown Development Authority (DDA) was established in 1993 pursuant to Public Act 197 of 1975, as amended, for the purpose of promoting, preserving, and enhancing the economic vitality of the DDA District. As such the DDA has embarked on many projects, including the new fire hall and DPW garage, opening of Leroy Street, streetscape improvements, and the construction of the Mill Pond Manor development, to name a few. We believe these projects have improved the downtown and the community as a whole and make Fenton a better place to live and work. The DDA is now focused on the redevelopment of the old fire hall building for a retail/commercial establishment

The City of Fenton is considered by most observers a true gem. Its neighborhoods, schools, parks, community services, commercial business and accessibility by highway (I-75 and US 23), have made it a desirable place to call home. The City of Fenton and surrounding municipalities have experienced a significant population growth over the past 10 years and such growth is projected to continue. Despite this growth, downtown Fenton has retained its small town charm.

The purpose of this RFP is to receive proposals from interested parties for the redevelopment of this historic location in order to identify and select a qualified developer, negotiate the terms and conditions for a Development Agreement and facilitate the adaptive reuse of this site as a retail/commercial establishment.

**Historic Fire Hall 201
S. Leroy Street
Fenton, MI 48430**



The primary redevelopment objective for this location is to create a high quality, well designed commercial/retail establishment that will:

- * Expand the City's tax base.
- * Create a vibrant, pedestrian friendly atmosphere that complements the existing uses in the area;
- * Preserve the architectural integrity of the building;
- * Acts as a major draw, attracting both residents and non-residents to downtown Fenton;
- * Have a catalytic impact on the surrounding area and thus creating a more dynamic downtown environment;



Potential Public Incentives

The appropriate redevelopment of the subject site is seen as constituting a public purpose. The actual incentives provided to the prospective developer will be based upon the review of necessary site upgrades and requirements placed upon the selected project.

The following incentive techniques are appropriate to consider:

- * Initial below market lease rate
- * Construction of parking improvements
- * Construction of exterior building improvements
- * Construction of landscape improvements

The redevelopment teams are urged to suggest other innovative approaches for financial incentive.

III. Development Guidelines

201 South Leroy Street represents a significant opportunity for the DDA to further its goals of redeveloping downtown Fenton. Redevelopment of this building has been identified as a priority project by the City Council, and the DDA who view it as a catalyst for future development in the downtown area.

Over \$1 million is currently being invested by the DDA to improve downtown Fenton and drastically upgrade the public realm. Improvements include a new east west connector road, streetscape improvements, new decorative lighting, and park improvements.

The Old Fire Hall sits in the heart of downtown where more than 3,000 cars pass everyday. Less than a quarter mile north of the subject site is the main downtown intersection (Silver Lake Road and Main Street). This intersection experiences in excess of 25,000 cars a day.

The building is of historic significance to the City of Fenton and all exterior renovations will be limited to accommodate the proposed use and must complement the existing architectural character. Exterior renovations that alter the character of the existing structure will be prohibited.



IV. Goals for Renovation

The Downtown Development Authority has established the following goals for the renovation of the 201 South Leroy Street:

Design Quality - Since this building has historical significance to the community, it represents a significant piece of the past. Any exterior improvements must be sensitive in design to surrounding buildings and the character of the existing structure.

Sense of Place - The project should build upon the character of downtown and help create a unique sense of place as a unique and significant part of Fenton's past and future growth. In addition it should encourage activity at street level and contribute towards animating Leroy Street.

V. RFP Evaluation and Selection Process

The DDA Selection Committee will evaluate all proposals and provide a recommendation to the DDA Board of Directors and City Council and reserves the right to reject any and all proposals.

11. Interested developers must make a written submission by **February 1, 2007 at 2:00 p.m.**
12. The Selection Committee reserves the right to request clarification or additional information from individual respondents as well as to request that some or all respondents make a presentation to the Committee.
13. Based on both the written submission and the presentations, the Selection Committee will recommend a developer to the DDA Board of Directors and the City Council.
14. The DDA will enter into negotiations with the developer with the objective of developing a Development Agreement between the developer and the DDA. The Development Agreement which is a legally binding agreement between the DDA and the developer and successors. The Development Agreement will commit the developer to a minimum level of investment and to some benefit in the level of rent charged, or other public benefit used as the justification for public financing.

The City of Fenton DDA will review each proposal submitted. The DDA and the City Council will be the final decision makers regarding selection of any development team, and it reserves the right to reject any or all submittals, to terminate negotiations at any time, or to redistribute the Request for Proposals with different criteria or different Submittal dates.

All submittals will be reviewed and evaluated based on the Selection Criteria outlined below.

After review, references will be contacted, previous projects and current commitments investigated, and an interview may be scheduled. The DDA reserves the right to request clarification or additional information.

Development proposals with supporting materials must be received no later than 2:00 P.M. on February 1, 2007 at the Fenton City Hall, 301 South Leroy Street. Proposal packages and all other written communications must be clearly marked Old Fire Hall Redevelopment Proposal.

Questions regarding this RFP may be made in writing to the address above or directed to the DDA Executive Director, Brent D. Morgan at (810) 714-6031.

VI. Selection Criteria

The development team to be awarded the development rights to the site will be selected based upon the following criteria:

15. Quality of the plan:

1. Consistency with the design and development objectives.
2. Quality of the proposed development.
3. Demonstrated understanding of the concept.
4. Creativity in design.
5. Overall reasonableness and feasibility of executing the development team's proposed development plan.

16. Accomplishment of other projects of similar scope and revitalization objectives:

1. Economic development: increased tax base.
2. The degree to which the proposal reinforces the broader Leroy Street and downtown revitalization efforts.

17. Capability to implement the development plan:

1. Technical ability of the team and its members.
2. Background, qualifications, experience, and expertise of the development team in like ventures.
3. Human and capital resources pledged to this effort.

18. Financial Considerations:

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1. Reasonableness of development budget.
 2. Financial return to the DDA.
 3. Demonstrated financial capacity of the team and its individuals.
 - 4.** Reasonable certainty of project cash flows incorporated into the team's analysis.

VII. General Submission Requirements

Qualified developers with an interest in developing this property should submit a proposal according to guidelines provided in this Request for Proposal (RFP) with the following information:

Accomplishment of the intended development project can only be accomplished by teams that:

19. Demonstrate the financial resources to plan and execute a redevelopment of this nature;
20. Have a history of successfully completing similar projects in other locations;
21. Demonstrate success in the designing, renovating, and managing high-quality retail/commercial developments;
22. Demonstrate achievements in integrating all of the technical and aesthetic components for this type of development;
23. Demonstrate a realization that this project is critical to the DDA's goal to redevelop downtown Fenton and therefore, the developer is willing to work with the DDA and others involved in all major phases of design, planning, and execution; and
24. Demonstrate a commitment to the DDA's and City of Fenton's goals for downtown.

VIII. Outline for Submittal of Proposals

25. Development Team

1. The developer should provide a list of organizations and individuals that make- up the proposed development team. These organizations and individuals should include:
 1. Developer organization.
 - (1) Executive in charge.
 - (2) Project Manager.
 2. Proposed architectural firm.
 3. Prospective engineering firm.
 4. Prospective contractors.
 5. Other prospective team members.

The developer should describe in detail its own organization, including:

6. Resumes of senior executives.
7. Major projects currently in development and to commence soon.
8. A current financial statement of the organization, including financial statements of all project partners.
9. Other key personnel and their experience.
10. Financial institutions, tenants, joint venture partners, community leaders, government officials, and public officials who have worked with the developer.

The developer should describe the proposed architectural firms and give pertinent examples of their work both in writing and graphically.

The developer should describe how the team is to be organized and managed to achieve coordination of the DDA's and the developer's responsibilities.

26. Developer's Record of Similar Projects

The submittal shall include:

1. A list and description of similar projects completed, especially in a downtown setting.
2. Evidence these projects are financially successful both for the developer and the municipality in which they are located.
3. A list of the institutions that have provided major financing for these projects and a description of the form of this financing.
4. A list of the architectural firms used for these projects; and
5. A list of the present owners and managers of these projects.

27. Developer's Concept for Renovations

1. The developer should describe the program it proposes for the subject site. A description of how the project will respond to the redevelopment of downtown, in particular the general area of the site.
2. The submittal should contain a discussion of the economics of the project the developer contemplates. These should include:
 1. Copies of any economic modeling that has been done for the project.
 2. The estimated hard and soft costs.
 3. Contemplated lease rate.
 4. An estimate of the type and number of jobs to be created.
3. The submittal should contain a preliminary schedule, estimating anticipated dates for commencement and completion of design, construction, and public approvals.
4. The developer should list and describe public commitments necessary to compete the project proposed, including:

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1. A list of other financial contributions required.
 5. The developer should list and describe the commitments it is willing to make to initiate the project, including:
 1. The amount, nature, and status of long-term and interim financing contemplated.
 2. The institutions expected to provide financing, and their statements of interest in providing such financing.
 3. The amount and source(s) of financing.

**PROPOSAL SUBMITTED PURSUANT TO THE CITY OF FENTON
DOWNTOWN DEVELOPMENT AUTHORITY
REDEVELOPMENT OF HISTORIC FIRE HALL**

City of Fenton
Downtown Development Authority
301 South Leroy Street
Fenton, Michigan 48430-2196

DDA Board of Directors:

The undersigned, as Bidder, hereby declares that this proposal is made in good faith without fraud or collusion with any person or persons bidding on the same project; that he/she has carefully read and examined the Invitation to Submit Proposals, General Requirements, and Program Guidelines for the designated work and understands all of the same; that he/she, or his/her representative, has made such personal investigation as is necessary to determine the character and difficulties attending the execution of the proposed work. Bidder proposes and agrees that if this Proposal is accepted, bidder will enter into a development agreement with the DDA, provide all services necessary to do all the work specified in the manner and time therein prescribed, and according to the requirements of the owner as therein set forth, and to furnish the services required in the following proposal.

The successful bidder understands that the DDA reserves the right to accept or reject any and/or all proposals, to waive any irregularities and/or informalities in the proposals, negotiate with any bidder, or to select the bid(s), or portions thereof, most advantageous to the City.

The successful bidder agrees that this bid shall be good and may not be withdrawn for a period of ninety (90) calendar days after the scheduled closing time for receiving proposals.

Upon receipt of a written Notice of Award, the successful bidder shall execute a development agreement with in sixty (60) days. In the event that the development agreement is not executed within the time set forth above, the Proposal shall become the property of the City as liquidated damage for the delay and additional expense to the City caused thereby.

Pursuant to your request for proposals to redevelop the historic fire hall, I submit my proposal, with the understanding that if my proposal, or section thereof, is accepted, I will execute a development agreement with the City of Fenton DDA, which will embody the terms as outlined in the proposal.

I will meet all of the requirements and provide all of the services for the amounts listed on the attached proposal sheet for the services as called for in this document, or as mutually agreed upon with the DDA.

The undersigned, by execution of this contract, certifies that he/she is the _____ of the firm named as _____, that he/she signs the proposal on behalf of the firm and that he/she is authorized to execute the same on behalf of said firm.

Company:

Address:

Phone:

Authorized Agent:

Signature:

Title:

Date:

Appendices

- Appendix A: Old Fire Station Building Review and Assessment Report prepared by Ayres, Lewis, Norris, and May, Inc. dated October 21, 2003
- Appendix B: Phase I Environmental Assessment prepared by Strata Environmental June 11, 2003
- Appendix C: Asbestos and Lead Study prepared by Strata Environmental dated December 19, 2003
- Appendix D: Retail Market Analysis prepared by the Gibbs Planning Group dated October 1, 2003
- Appendix E: Restrictive Covenants Agreement executed by the City of Fenton and the City of Fenton Downtown Development Authority

These documents can be downloaded directly from our website: <http://www.cityoffenton.org/economicDevelopment/>
