

# Request for Qualifications/Proposal to Purchase and Develop Site at Dakota and Peach Avenues, Fresno CA

September 16, 2013



# **REQUEST FOR QUALIFICATIONS AND PROPOSAL TO PURCHASE AND DEVELOP**

## **40.66 Acres located generally north of Dakota Avenue and West of Peach Avenue in Fresno, California**

### **I. OBJECTIVE**

The Successor Agency to the Redevelopment Agency of the City of Fresno (“Agency”), is offering an exciting opportunity to submit qualifications and proposals to purchase and develop approximately 40.66 acres of Agency owned property on the former Palm Lakes Golf Course in the City of Fresno. The Agency is seeking a purchase price that is equal to or greater than the value as derived from a third party appraisal and with terms for all cash due at the close of escrow. Through this Request for Qualifications and Proposals (“RFQ/P”), the Agency is seeking individuals or organizations to develop the Project Site in a timely manner for an appropriate use that contributes to the growth of the City’s economy, benefits the community, complements and supports the surrounding neighborhood, generates revenues attributable to development of the Site, and creates and preserves quality jobs.

The Project Site consists of 3 parcels totaling 40.66 acres of land. Two of the parcels are zoned Open Space, and the third is zoned Light Industrial and is improved with three buildings. The Project Site is east of Freeway 41, north of Freeway 180, and east of Freeway 168, situated just north of the airport, on the north side of Dakota Avenue and west side of Peach Avenue.

Responses from qualified candidates shall include but are not limited to the following information:

- Purchase Offer.
- Summary of the candidate’s qualifications and experience in similar development projects.
- Written narrative that describes the development proposal, project elements, design development features and timeline.
- Preliminary estimate of total project costs and the source of funds.
- Financial capacity to purchase and to finance completion of the proposed Project within the identified timeframe.

### **II. BACKGROUND**

The subject property is owned by the Successor Agency and is located in the City of Fresno. Fresno is the fifth largest city within the State of California, and is one of the fastest growing, with a population of approximately 500,121 and countywide population of 940,220. It is centrally located in the San Joaquin Valley, mid-way between San

Francisco and Los Angeles, and is the business and cultural capital of Central California.

### **Project Site**

The Project Site is located in east Central Fresno and consists of three parcels totaling 40.66 acres of land. Specifically, the three parcels are located on the north side of Dakota and the west side Peach Avenues adjacent to the Fresno International Airport (FAT). The project area consists of approximately 40.66 acres, and is described more specifically below:

The major development in the neighborhood is the Fresno International Airport (FAT) and California Air National Guard. The airport land is city owned and includes the Airways Golf Course at the northeast corner of the subject property, generally south of Shields and west of Clovis Avenues. Other development around the Project Site is generally light industrial and commercial in nature. Notable tenants in this area include Pelco/Schneider Electric, Federal Express, and Costco.

### **Specifics of the three parcels include the following:**

No address Assigned for – Assessor’s Parcel Number 493-020-28ST: This “OUTLOT B” vacant parcel is zoned Open Space; the Planned Use is residential/medium high density, and consists of 5.9 acres of land.

5025 E. Dakota Ave – Assessor’s Parcel Number 493-020-29ST: This “PARCEL E” is 2.25 acres and improved with 3 buildings that are leased by the Fresno Moose #445. The buildings include a 2,350 SF club house, a 2,604 SF shop building, and a 480 SF public restroom. It is zoned M-1 Light Manufacturing; the Planned Use is Light Industrial.

5005 E. Dakota Ave – Assessor’s Parcel Number 493-020-37ST: This vacant “OUTLOT A” parcel is zoned Open Space and consists of 32.51 acres of land.

### **III. PROJECT / DEVELOPMENT GOALS**

The Project / Development should:

- Be a comprehensive plan that incorporates the entire Project Site into a well designed attractive environment of related uses linking individual parcels into the unified plan.
- Be a desirable development that has community and economic benefit.
- Attract new business interests that will enhance the City of Fresno.
- Create an attractive environment that will positively impact the surrounding neighborhood and help to encourage more quality development in the area.

#### **IV. SUPPLEMENTAL INFORMATION**

##### Utilities and Easements

Water and sewer lines for the project site are located on site, and in the street right-of-ways.

##### Street

All street right-of-ways around the project site are improved City streets and service is provided through Dakota Avenue.

##### Zoning and Development Standards

Two parcels are zoned Open Space, one parcel is zoned Light Industrial. The “M-1” Zone District is intended to serve as Light Manufacturing for this area in the City of Fresno.

The City of Fresno is in the process of updating its General Plan. A draft of this document is available and it is encouraged that respondents contact staff from the Department and Resource Management for a status on this document. The link is <http://www.fresno.gov/Government/DepartmentDirectory/DARM/AdvancedPlanning/default.htm>

##### Plan Goals

The Proposal shall be consistent with goals of the Airport Land Use Compatibility Plan and Airport Revitalization Redevelopment Project Area Plans and any other Plans that may be impacted by the proposed development, including goals relating to Community and Economic Development, Urban Design and Planning, and Transportation, Housing, and Public Services.

##### Non Discrimination Agency Requirement

By submission of this proposal, the applicant represents that it and any subsidiary substantially owned by it, does not and will not discriminate against any employee or applicant for employment because of race, religion, sex, color, national origin, sexual orientation, ancestry, marital status, physical condition, pregnancy or pregnancy-related conditions, political affiliation or opinion, age or medical condition.

Any subsequent contracts or agreements shall contain similar language and include other requirements pursuant to the California Community Redevelopment Law, AB X 1 26, and AB 1484.

#### **V. SUBMISSION REQUIREMENTS**

##### **Proposal Format/Contents**

For the purposes of this proposal, Developers are not required to prepare detailed site plans or elevations, but rather present their firm’s qualifications as well as a proposed purchase offer, conceptual plan and design, a business and

financing plan. The following list describes the required elements of the proposal:

**Cover Letter**

Include a cover letter indicating the nature of the developer team: joint venture, corporate developer, Limited Liability Corporation, franchisee, etc. The letter must include the company name, address, email, name, and telephone and fax number(s) of the person(s) authorized to represent the development team. The cover letter should also indicate whether the proposal is for the entire Project Site or one of its components.

**Table of Contents**

A Table of Contents for all the material contained in the response.

**Owner/ Development Team Qualifications**

Please describe the ownership structure and development team.

Indicate past experience including level of involvement within the past five years for this specific type of project. The description of owner/development team should include, as relevant, the project team including principals; other LLC partners or members; the architect, if known; and, the project general contractor, if known:

**Principals**

- Owner/Principal/Development Team's' similar project experience.
- Projects completed with name and contact information
- Specific individuals expected to be assigned to subject project and their specific responsibilities and duties, etc.

**Other Development Team Members**

- Other development partners' (such as limited or equity partners or LLC members) experience.
- Specific individuals from the other partners assigned to this project; i.e. specific responsibilities and duties, etc.
- Projects completed by the other partners with name and contact information.
- Availability of the team member and the percentage of their current workload that would be assigned to the project.

Significant development experience is desirable from the other development partners, especially if the development company principals lack development experience.

**Project Architecture Firm (if known)**

- If available, please include commitment letter or letter of

interest from the proposed Project Architecture Firm in the RFQ response.

- Project Architecture Firm's experience, including number of years in operation, names of architects, number of architects dedicated to this Project.
- Similar projects designed by proposed Project Architecture Firm.
- Proposed Project Architecture Firm contact information.
- Specific individuals from the Architecture Firm assigned to this project during the development process.

#### **Project General Contractor (if known)**

- If available, please include commitment letter or letter of interest from the proposed Project General Contractor in the RFQ response.
- Project General Contractor's experience, including number of years in operation, dollar value of projects worldwide, number of projects completed and currently under development in the proposed development category.
- Proposed Project General Contractor contact name and telephone number.
- Specific individuals from the General Contractor assigned to this project during the development process.

#### **Conceptual Plan Design**

- Elements of proposed project such as light industrial, retail, or recreational/entertainment.
- Anchors proposed for the Project Site.
- Target market such as local, regional residents, tourists etc.

#### **Purchase Proposal**

A primary objective is to sell the property at a value equal to or greater than appraised value with cash at close of escrow.

- Describe financing of the purchase price.

#### **Financing and Ownership**

Please describe the ownership/financing structure of the proposed development including:

- Estimated total project cost
- Estimated construction debt
- Estimated amount of equity contributed to project
- Estimated amount of permanent debt on project

Describe the permanent financing structure of the development such as:

- Conventional financing
- New Market Tax Credits
- Public Agency Assistance
- A mix of financing types

### **Relevant Projects**

Describe the most relevant projects including the following information:

- Project Description including design time and completion dates, location, size, and project costs.
- Project photographs.
- Brief description of the development team, their specific role, amount of contract; etc.
- Reference for each project cited and contact information.

### **Response Requirements**

The total response package should not to exceed thirty (30) typewritten pages for each component, excluding maps, brochures, and other exhibits which may be included with the package. The extra materials, provided they are not part of the submission package, do not count against the requested page limit total.

### **Due Date**

Proposals shall be submitted in 8½" X 11" inch format. All proposals are due at the offices of the Successor Agency of the Redevelopment Agency of the City of Fresno by 5:00 p.m. on October 4, 2013. Postmarks will not be accepted. **Proposals received after this deadline will not be considered.**

### **Submissions**

**One (1) unbound original and five (5) copies of the proposal must be submitted.** Proposals must be complete and sealed. Facsimile and electronic mails copies are not acceptable and will not be considered. Proposals must be mailed or hand-delivered to:

Lupe Perez, Project Manager  
Successor Agency of the Redevelopment  
Agency of the City of Fresno  
2344 Tulare Street, Suite 200  
Fresno, CA 93721

The Agency hereby notifies all Proposers that no person shall be excluded from participation in, denied any benefits of, or otherwise discriminated against in connection with the award and performance of any contract on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age,

sexual orientation or on any other basis prohibited by law.

**Submissions are Final**

No corrections or modifications to the proposal may be made after the due date.

**Confidentiality of Submissions**

While the Agency shall endeavor to keep any confidential information private, it reserves the right to release the name of all proposers, as well as a summary of their proposals, to the media, the public, or any party that requests it.

**Inquiries**

Questions pertaining to the RFQ/P should be directed to Lupe Perez, in writing at the above address or via email at [Lupe.Perez@fresno.gov](mailto:Lupe.Perez@fresno.gov)

**Conflict of Interest**

The Successor Agency to the Fresno Redevelopment Agency of the City of Fresno endeavors to avoid conflict of interest or any appearance of conflict of interest. Therefore, all Proposers and their sub-consultants are required to provide a Disclosure of Conflict of Interest (see City Forms below). Provide a statement of conflict you, your firm, and/or other key staff may have regarding these services. The statement should not only include actual conflicts, but also any working relationships that may be perceived by disinterested parties as a conflict. If there are no potential conflicts of interest identified, so state in your proposal. Complete and return Attachment B – Disclosure of Conflict of Interest as part of the RFQ for the Developer and each sub-consultant.

**VI. REVIEW AND SELECTION PROCEDURE**

Processing of the RFQ/P responses will be handled in the following manner:

**Evaluation Process**

Responses to the RFQ/P will be evaluated by a Review Committee comprised of representatives from the Agency and other relevant entities.

Following evaluation of the responses, the Review Committee may elect to interview some or all of the respondents, or may otherwise seek clarification or amplification of the material submitted or may reject all proposals. The committee will make its recommendation to the Agency.

Finalists may be asked to provide additional information such as:

- More detailed graphic presentations of a Conceptual Design for project development.
- A detailed Scope of Work for development of project design and implementation of project.
- A financial analysis for the project.
- Any additional proposal information, as requested.

**Interviews**

The Agency reserves the right to hold interviews or select a preferred proposal without interviews. The recommendation for selection will be made based on criteria including qualifications, the financial capacity to purchase the property, the soundness and timeframe of the development proposal, the financial capacity to perform the proposed development within in the timeframe, and the team's demonstrated experience.

**Right to Reject All Proposals**

The Agency reserves the right to reject all proposals or to waive minor irregularities. The Agency has no obligation to enter into an agreement with any party in respect to purchase and development of the site as a result of their response to this offering.

The RFQ/P package contains descriptions of the site and other matters that are deemed accurate. However, the Agency makes no representations in respect to any factors affecting the development of the site. Prior to entering an agreement with the Agency, it is assumed that prospective firms will complete their own due diligence. The cost of preparing any responses to this RFQ/RFP shall be borne by the respondents and shall not be reimbursed by the Agency.

**Agreements to Purchase and Develop the Properties**

The Agency anticipates that it will utilize a Purchase/Sale and Development Agreement. The Agreement is expected to contain the terms of purchase and conveyance and the scope and schedule of development.

Upon the Review Committee's recommendation of a proposal and the preparation of an Agreement, the successful Proposer will be required to execute and return the Agreement in a timely manner. Should the successful Proposer fail or refuse to execute the Agreement, the Agency reserves the right to withdraw the recommendation/acceptance of the proposal and, at its discretion, recommend/accept the proposal of another Proposer.

**Other Contract Provisions**

It is understood that the selection of a proposal and timeframe are subject to California Redevelopment Law including AB 26 and 1484.

The Agency hereby notifies all proposers that no person shall be excluded from participation in, denied any benefits of, or otherwise discriminated against in connection with the award and performance of any contract on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, sexual orientation, ethnicity, status as a disabled veteran or veteran of the Vietnam era.

## **VII. ADDITIONAL INFORMATION**

### **Outreach to Small Business Enterprises in Subcontracting**

The Agency hereby notifies all Proposers that it is the City's policy to provide all small business enterprises, including minority, women, and disabled veteran business enterprises, equal access and opportunity for participation in the performance of all construction contracts, professional service contracts, and procurement of supplies, equipment and other services. Therefore, the Agency requests that a Proposer who intends to subcontract a portion of the work seek out small business enterprises that are potential subcontractors, suppliers, or consultants, and actively solicit their interest, capability and prices.

### **Public Records**

The proposals received shall become the property of the Agency and are subject to public disclosure. Those parts of a proposal which are defined by the Proposer as business or trade secrets as that term is defined in California Evidence Code, Section 3426.1, and are reasonably marked "Trade Secrets," "Confidential" or "Proprietary" and placed in a separate envelope shall only be disclosed to the public if such disclosure is required or permitted under the California Public Records Act or otherwise by law. Proposers who indiscriminately and without justification identify most or all of their proposal as exempt from disclosure may be deemed non-responsive. Proposals, excluding confidential information, will be available for review after posting of staff recommendation.

### **Regulated Communication in City Procurement Process Ordinance**

The Regulated Communications in City Procurement Process Ordinance (Article 6, Chapter 4 of the Fresno Municipal Code) became effective May 7, 2004. With certain specified exceptions, the Ordinance provides that no Respondent, Bidder, Proposer (as the case may be) shall initiate, engage in, or continue any communication to or with any City elected official concerning or touching upon any matter which is the subject of this competitive procurement process.

Any Respondent, Bidder, Proposer or elected official (as the case may be) who initiates, engages in, continues in, or receives any regulated communication shall file the written disclosure required by the Regulated Communications in City Procurement Process Ordinance and the Redevelopment Improvement Act.

Any Respondent, Bidder, or Proposer violating the Regulated Communications in City Procurement Process Ordinance may be disqualified from participating in this procurement process and/or determined to be non-responsible. Additionally, the Agency may set aside the award of a contract, prior to its execution, to a party found to have violated the Ordinance.

Note: The full text of Fresno Municipal Code Chapter 4, Article 6 may be obtained by logging on to the City's website at <http://www.fresno.gov>. Under "Related Online Resources" on the bottom right portion of the home page click on "Fresno Municipal Code." Or view Fresno Municipal Code at <http://www.municode.com/Resources/gateway.asp?pid=14478&sid=5>.

### **Debarment**

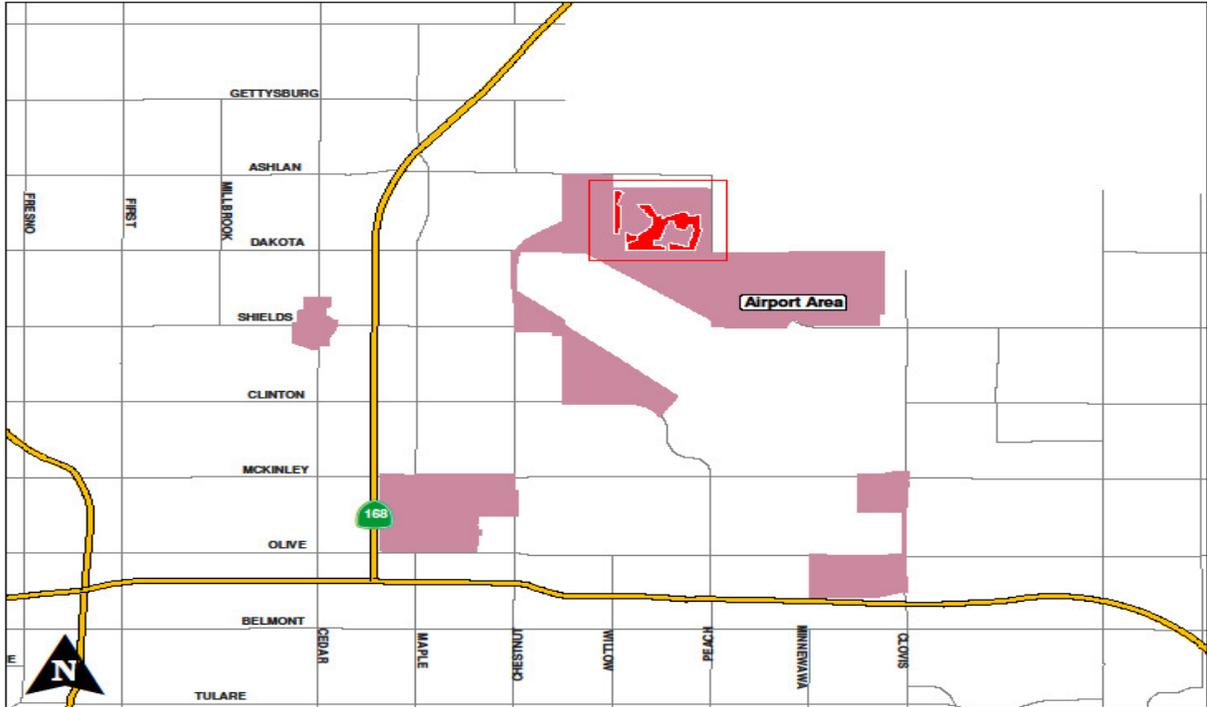
A Proposer who has been determined by the Successor Agency, and the Council to be non-responsible may be debarred from bidding or proposing upon or being awarded any contract with the City or its Successor Agencies, or from being a subcontractor or supplier at any tier upon such contract, in accordance with the procedures in Resolution No. 2003-130 adopted by Council on April 29, 2003. The initial period of any such debarment shall not be less than one year or more than three years. A Proposer may request a hearing, in accordance with Resolution No. 2003-130, upon receipt of a notice of proposed debarment from the City Manager or his/her designee. A copy of the Resolution may be obtained from the City Clerk's Office, 2600 Fresno Street, Fresno, California 93721.

### **ATTACHMENTS:**

Attachment A	Project Site Maps
Attachment B	Disclosure of Conflict of Interest
Attachment C	Bibliography

# PROJECT SITE MAP

APNs 493-020-28, -29, -37



**Attachment B**

**DISCLOSURE OF CONFLICT OF INTEREST**

		<b>YES*</b>	<b>NO</b>
1	Are you currently in litigation with the City of Fresno or any of its agents?	<input type="checkbox"/>	<input type="checkbox"/>
2	Do you represent any firm, organization or person who is in litigation with the City of Fresno?	<input type="checkbox"/>	<input type="checkbox"/>
3	Do you currently represent or perform work for any clients who do business with the City of Fresno?	<input type="checkbox"/>	<input type="checkbox"/>
4	Are you or any of your principals, managers or professionals, owners or investors in a business which does business with the City of Fresno, or in a business which is in litigation with the City of Fresno?	<input type="checkbox"/>	<input type="checkbox"/>
5	Are you or any of your principals, managers or professionals, related by blood or marriage to any City of Fresno employee who has any significant role in the subject matter of this service?	<input type="checkbox"/>	<input type="checkbox"/>
6	Do you or any of your subcontractors have, or expect to have, any interest, direct or indirect, in any other contract in connection with this Project?	<input type="checkbox"/>	<input type="checkbox"/>
* If the answer to any question is yes, please explain in full below.			

Explanation: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 (Name)

\_\_\_\_\_  
 (Company)

\_\_\_\_\_  
 (Address)

Additional page(s) attached.

\_\_\_\_\_  
 (City state zip)

## **Attachment C**

### **BIBLIOGRAPHY**

The following reference documents are available for review online and/or at the City of Fresno, 2600 Fresno Street, Fresno, California 93721.

2025 Fresno General Plan, City of Fresno, Adopted November 19, 2002

<http://www.fresno.gov/Government/DepartmentDirectory/PlanningandDevelopment/Planning/2025FresnoGeneralPlan.htm> including:

- Exhibit A – Community Plan Changes Consistent with the 2025 Fresno General Plan, Fresno City Council Resolution Number 2002-379, November 19, 2002

Zoning Ordinance, City of Fresno

<http://www.fresno.gov/Government/DepartmentDirectory/PlanningandDevelopment/Planning/ZoningOrdinance.htm>

Fresno Municipal Code (FMC)

<http://www.municode.com/Resources/gateway.asp?pid=14478&sid=5>

Successor Agency to the Redevelopment Agency of the City of Fresno

<http://www.fresnorda.com/overview.html>

City of Fresno Historic Preservation website and related historical surveys

<http://www.fresno.gov/Government/DepartmentDirectory/PlanningandDevelopment/Planning/HistoricPreservation/default.htm>