

**RFP No. 505-008**

**REQUEST FOR PROPOSAL (RFP)  
FOR THE PURCHASE OF VACANT LAND OR  
LAND FOR REDEVELOPMENT**

**For the  
State of Wisconsin, Department of Administration  
WITHIN THE CITY OF MILWAUKEE**

**Issued Monday, September 23, 2019**



**Proposals Due by October 21, 2019 by 3:00 PM Central Time**

**PREPARED BY:  
STATE OF WISCONSIN  
DEPARTMENT OF ADMINISTRATION  
DIVISION OF FACILITIES DEVELOPMENT & MANAGEMENT  
101 EAST WILSON STREET, 7th FLOOR  
MADISON, WISCONSIN, 53707-7866**

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## I. PROJECT OVERVIEW

### A. PROJECT SCOPE

The State of Wisconsin (“State”) is seeking to purchase vacant land or land for redevelopment on one or more parcels (“Property”) upon which the State will construct a new Milwaukee State Office Building. This Property must be located within the City of Milwaukee and preferably as depicted in Appendix 2. All proposed properties must be of sufficient size to accommodate a multi-story office building of approximately 200,000 gross square feet and 680 parking stalls for staff, visitors, handicap and State Fleet vehicles. This parking requirement can be satisfied through structured parking (below or above ground) and/or surface parking.

## II. SELECTION AND AWARD PROCESS

### A. SCHEDULE

The following is a **TENTATIVE** schedule of events regarding this RFP: All deadlines are subject to extension at the discretion of the Wisconsin Department of Administration.

RFP Posted	Monday, September 23, 2019
Requests for Clarification due by 3:00 PM CT	Monday, October 7, 2019
Clarification Responses Posted	Monday, October 14, 2019
<b>Proposals Due By 3:00 PM CT (Due Date)</b>	<b>Monday, October 21, 2019</b>
Screening of Proposals by Selection Committee	Approximately 4 weeks
Notification and/or Questions to Qualifying Proposers	
Conduct Site Visits	
Best and Final Offer (BAFO) Letters	Approximately 2 weeks
Final Evaluation and Selection	Approximately 2 weeks
Letter of Intent Issued	Approximately 2 weeks
Signed Contingent Offer to Purchase	Approximately 2 weeks
State Building Commission Approval	To Be Determined
Targeted Closing Date	Subsequent to SBC Approval

## **B. PROPOSERS QUESTIONS AND DOA RESPONSES**

Proposers may submit written requests of clarification of this RFP and/or questions, on or before 3:00 PM CT on Monday, October 7, 2019, utilizing the form provided in Appendix 3. Submit the completed form via email to [doarealestateinfo@wisconsin.gov](mailto:doarealestateinfo@wisconsin.gov). Please reference the RFP #505-008 in the subject line of the email.

Written responses to properly submitted relevant requests will be posted by Monday, October 14, 2019 on the following website:

<https://doa.wi.gov/Pages/DoingBusiness/Current-Real-Estate-RFPs-and-RFIs.aspx>

Solicitation of information from the State, DOA, or any other agency outside of this designated process will not be addressed and may result in disqualification of the Proposer. RFP status and updates will be posted on the above website as information becomes available.

## **C. SELECTION AND AWARD PROCESS**

The following outlines the Selection and Award Process:

### **Part One: Initial Screening**

All Proposals submitted by the due date that meet the general requirements designated in Section III will be evaluated by the Selection Committee using the parameters and the criteria listed in Section III of this RFP. The final selection will be made by the Secretary of the Department of Administration.

Proposers wishing to submit more than one option, must provide a complete Proposal for each option. Proposals not meeting the RFP requirements will be eliminated from consideration. Proposers of eliminated proposals will be notified, as soon as practical.

### **Part Two: Additional Information, Clarification and Site Visits**

Proposers submitting Proposals deemed to meet the general requirements of the RFP (Qualified Proposals) will be notified and may be asked to provide additional information and/or clarification of their Proposals. In addition, site visits will be scheduled. Multiple site visits may be requested.

### **Part Three: Best and Final Offer (BAFO)**

Upon the completion of the site visits, BAFO letters may be issued to some or all of the Qualified Proposers. BAFO letters may request additional information and/or clarifications and offers proposers the opportunity to update any terms of their Proposals.

### **Part Four: Final Evaluation and Selection**

Upon receipt of the BAFO responses, Proposals will be regraded based upon all information received to date. The Selection Committee will recommend the Proposal(s) that best meet the needs of the State of Wisconsin, to the Secretary of the Department of Administration for review and selection. The Secretary may choose from the recommended Proposals or determine no selection and send the RFP back to the Selection Committee for additional information and/or further review. While the purchase price of each Proposal will be considered, the final selection may not necessarily be the lowest cost Proposal. Selection will also be based upon criteria which best meets the needs of the State of Wisconsin.

The State reserves the right to modify, amend and/or cancel this RFP at any time and reject any and all Proposals at its sole discretion.

**Letter of Intent (LOI):**

After the final selection is made, the State will issue a Letter of Intent to the selected Proposer. Further clarification and negotiation may be required. Should the State be unable to achieve mutually acceptable terms with the selected Proposer, the State reserves the right to cancel the selection and negotiate with another Proposer. This is not a fixed-bid Proposal and all items are subject to further negotiations by either party.

A signed Offer to Purchase is contingent upon approval of the State of Wisconsin Building Commission per Section IV. C. of this RFP.

### **III. PROPOSAL SUBMITTAL REQUIREMENTS**

#### **A. SUBMISSION**

In responding to this RFP, Proposers must use the following format and process:

- Submission of one (1) original and four (4) printed copies of the Proposal, which will serve as the official copies.
- Inclusion of a fully completed Proposer’s Response Sheet (see Appendix 4).

**Proposals are due on or before 3:00 PM CT Monday October 21, 2019 (Due Date)**

**Proposals received after the due date and time will not be accepted. Upon receipt, they will be marked late, remain unopened and returned to the sender.**

Sealed copies of the Proposals must be delivered to:

RFP #505-008  
State of Wisconsin, Department of Administration  
Division of Facilities Development & Management  
101 E. Wilson Street, 7<sup>th</sup> Floor (53703)  
P.O. Box 7866  
Madison, WI 53707-7866

Proposers must allow sufficient time for delivery of their Proposals by the date and time specified.

#### **B. FORMAT**

Proposals should be spiral bound, printed on single sided 8 ½”x11” paper, either portrait or landscape. For legibility purposes, plans, schedules or other relevant Proposal documents may be printed on 11”x17” paper and folded to be equivalent to 8 ½”x11” paper.

#### **C. CRITERIA**

Proposals will be evaluated on the following criteria:

1. Purchase Terms and Conditions
2. Catalyst for Neighborhood Revitalization

3. Locational Attributes and Site Information
4. Public and Municipal Services Availability
5. Property Environmental Matters
6. Encumbrances
7. Zoning and Land Use Matters

#### **D. PROPOSAL CONTENT**

The Proposal must meet at a minimum, the standards and requirements listed herein. **It is mandatory that all proposers utilize the attached Proposer's Response Sheet (Appendix 4).**

Note: In the event each item listed below is not addressed in the Proposal, the Proposal will receive zero points for that item in the scoring criteria.

1. A fully completed "Proposer's Response Sheet" and all supporting documentation.
2. Information for each proposer including the company name, contact person, business address, phone number, email address and website (if applicable).
3. Identify those areas of this RFP where your Proposal does not meet the minimum requirements.

### **IV. OTHER CONSIDERATIONS AND RESERVATION OF RIGHTS**

#### **A. OTHER CONSIDERATIONS**

##### **1. Procuring and Contracting Agency**

The DOA's Division of Facilities Development & Management (DFDM) is the authorized agent for this Project. The DOA will authorize the final selection made for this Project. All negotiations relative to this Project may only be conducted with the DOA's designated contact.

##### **2. Minority Business Enterprise and Disabled Veteran-Owned Business (MBE/DVB) Participation**

Minority Business Enterprises (MBE) and Disabled Veteran Owned Businesses (DVB) are encouraged to respond to this RFP. Any firm that wishes to be certified by the State as a MBE or DVB may contact the DOA Supplier Diversity Program at [DOABDMBD@wisconsin.gov](mailto:DOABDMBD@wisconsin.gov) or visit their website at: <http://www.doa.wi.gov/Divisions/Enterprise-Operations/Supplier-Diversity-Program>.

#### **B. RESERVATION OF RIGHTS**

The State reserves the right, in its sole and absolute discretion and as it may deem necessary, appropriate, or beneficial to the State with respect to the RFP, to:

- Cancel, withdraw, or modify the RFP, including timelines
- Modify or issue clarifications to the RFP prior to the Proposal Due Date; in the event the RFP is modified the DOA will post on the following website: <https://doa.wi.gov/Pages/DoingBusiness/Current-Real-Estate-RFPs-and-RFIs.aspx> and all Proposers will be provided a chance to revise their Proposals
- Request submission of additional information from some or all Proposers following its review of one or more Proposals
- Waive any irregularity or defect in any submission
- Reject any Proposals it deems incomplete or unresponsive to the RFP requirements
- Reject all Proposals that are submitted, and

- Reissue the original RFP, issue a modified RFP, or issue a new RFP, whether or not any Proposals have been received in response to the initial RFP

### **1. Proposal Submission Costs**

Proposers should be aware of the following:

- a. The State of Wisconsin, DOA, and/or any state agency(s) will not be liable for any costs incurred by proposers associated with the preparation of a Proposal
- b. Proposer shall be solely responsible for all pre-closing costs (including demolition of existing improvements and due diligence studies such as environmental, traffic, geotechnical, storm water management, or other site preparations) that may be associated with the Property
- c. Proposer shall be solely responsible for all costs related to obtaining necessary permits, approvals, clearances, and licenses at the appropriate time, for pre-closing preparation of Property, and
- d. All Proposals in their entirety, will become the property of DOA upon submission

### **2. Selection Non-Binding**

The State's selection of a Proposer indicates only its intent to negotiate with the selected Proposer. The selection does not constitute a commitment by the State to execute a final agreement or contract with that Proposer. Proposers therefore agree and acknowledge that they are barred from claiming to have detrimentally relied on any action by the State, or its contractor, representative, or employees' actions for any costs or liabilities incurred as a result of responding to this RFP.

### **3. Communications with Media, Government Agencies, and Community**

Proposers shall not initiate or pursue any discussions or communications with the media, government agencies, and/or the community without first coordinating with and receiving the approval of the State.

### **4. Wisconsin Public Records Law**

All information in a Proposer's Proposal is subject to the provisions of the Wisconsin Public Records Law (Wisconsin Stat. 19.31 et seq.). Any information or data in the Proposal that the Proposer claims as proprietary and confidential and should not be disclosed by the State to third parties shall be clearly identified in their Proposal (each page shall be marked as "Proprietary and Confidential") and specified on the Designation of Confidential and Proprietary Information Form as provided in Appendix 5 of this RFP. Exception: Prices within submitted Proposals are always open record 'after' an Offer to Purchase is submitted and fully executed.

### **5. State Law**

Any agreement between the State and the successful Proposer arising from this RFP will be governed, construed, and interpreted in accordance with the laws of the State of Wisconsin.

## **C. STATE BUILDING COMMISSION APPROVAL**

**The proposed acquisition will be subject to approval of the State of Wisconsin Building Commission as required by statute.**

**V. APPENDICES**

[APPENDIX 1 – PROGRAM REQUIREMENTS AND EVALUATION CRITERIA](#)..... 9

[APPENDIX 2 - PREFERRED AREA MAP](#)..... 12

[APPENDIX 3 – FORM TO SUBMIT PROPOSER’S QUESTIONS](#) ..... 13

[APPENDIX 4 - PROPOSER’S RESPONSE SHEET](#) ..... 14

[APPENDIX 5 - DESIGNATION OF CONFIDENTIAL AND PROPRIETARY INFO FORM](#)..... 17

## **APPENDIX 1 – PROGRAM REQUIREMENTS AND EVALUATION CRITERIA**

The Proposal documents must meet at a minimum, the standards and requirements listed herein. The Proposer should address and show how the Proposal meets or exceeds each of the following characteristics which are critical in the evaluation and award process.

### **1. Purchase Terms and Conditions**

- a) Purchase Price
- b) Other Terms and Conditions, if any

### **2. Catalyst for Neighborhood Revitalization**

- a) Provide a description of how the proposed parcel(s), if developed by the State of Wisconsin, would economically benefit the surrounding neighborhood
- b) Provide any related studies, long-range economic development plans, or other similar documentation that demonstrates the revitalization or development opportunities of the surrounding neighborhood

### **3. Locational Attributes and Site Information**

- a) It is preferred that the site be located within a geographic area as shown on Appendix 2
- b) Provide a legal description of the proposed Property
- c) Provide evidence of ownership or control of each proposed Property
- d) Provide a site plan or ALTA survey, if available, of the proposed Property including existing building(s), structure(s), parking lot, water towers, above ground towers, above and underground storage tanks, ingress/egress and utilities, including but not limited to cellular towers and high tension wire towers
- e) It is preferred that the location be on a bus line with regular bus service several times a day, with at least one bus stop within the immediate proximity of the location with an accessible sidewalk route to the building
- f) The site should have access to major roads, easily located with minimal turns, and readily visible

### **4. Public and Municipal Services Availability**

- a) Please confirm the availability, existence and location of the following public services:
  - i. Police and location of nearest precinct
  - ii. Fire Protection and location of nearest station
- b) Please confirm the availability, existence and location of the following municipal services:

- i. Electricity
  - ii. Natural Gas
  - iii. Water and Sewer Services
  - iv. Telephone
  - v. Cable/Internet
  - vi. Fiber optics
  - vii. Other
- c) Please provide additional details where possible

**5. Property environmental matters**

- a) Provide copies of any environmental studies and testing results which are in the possession of the owner
- b) Describe any known environmental issues associated with the proposed Property
- c) Provide information on any current, pending or required remediation activities on the proposed Property
- d) It is preferred that the selected Property is vacant and free of environmental contaminants, on the date of closing

**6. Encumbrances**

- a) Provide information regarding any current or pending special assessments levied against the proposed Property. Proposers, at Proposer's sole cost, shall be responsible for the payment of all special assessments, prior to closing
- b) Provide information on all known easements
- c) Indicate any known deed restrictions and/or other use restrictions
- d) Indicate whether there are any known encroachments

**7. Zoning and Land Use Matters**

- a) Provide information regarding the current zoning and land use classification. Closing on the selected Property will be contingent upon the State's ability to secure the proper zoning for its intended use
- b) Provide documentation of all violation notices, notices of pending rezoning or land use reclassifications and all pleading or filings pertaining to zoning or land use actions or proceedings
- c) Provide any opinions of counsel as to zoning or land use matter in owner's possession
- d) Provide copies of any agreements, orders or decrees concerning impact fees, linkage fees, and exactions

**8. General Information (the following are not part of initial grading criteria)**

- a) Provide address, parcel ID and legal description

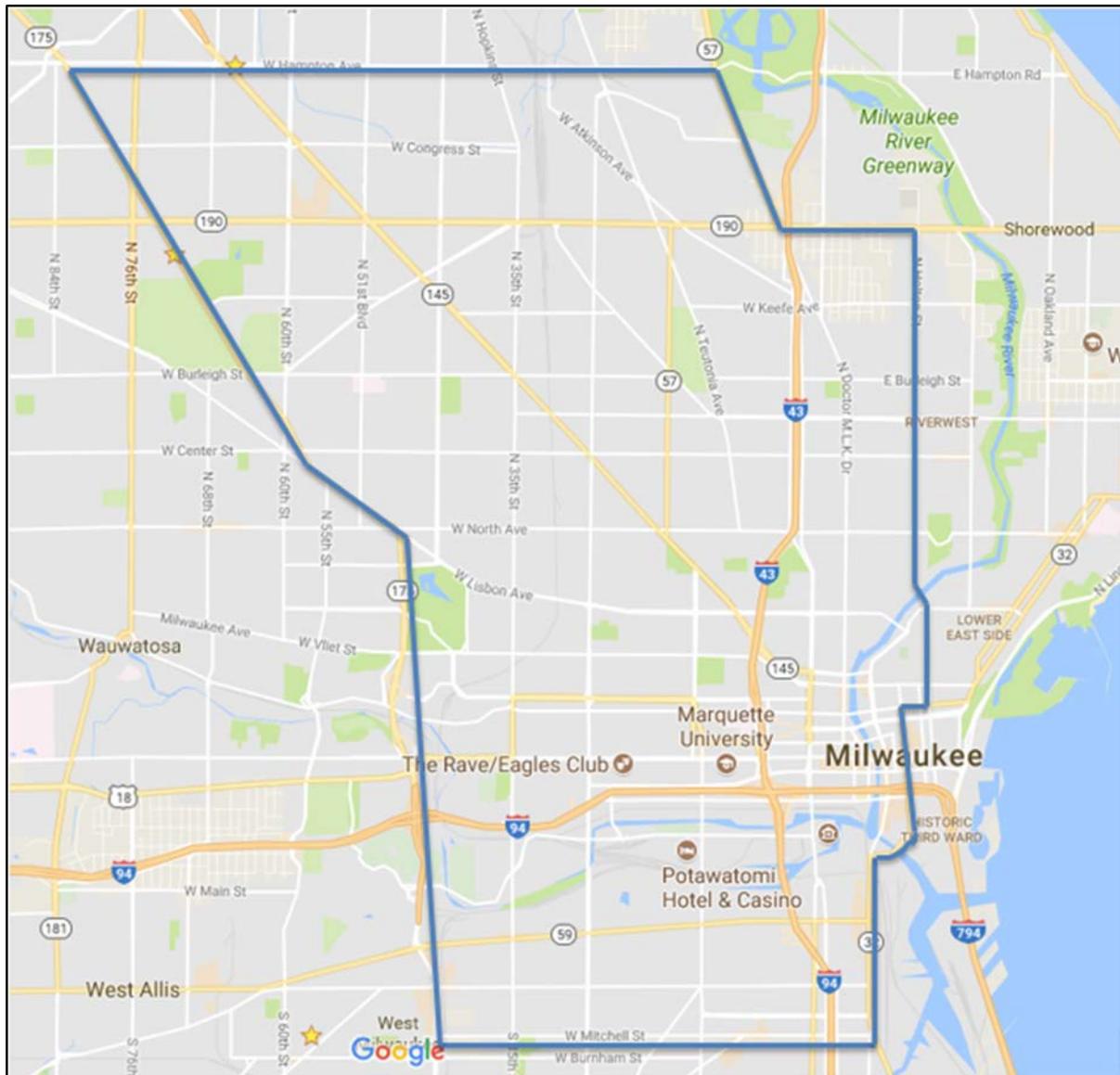
- b) Identify the current owner of record and period of ownership
- c) Identify all present uses
- d) Identify all past uses, if known
- e) Describe any buildings currently on the Property
  - i. If known, indicate the presence of any contamination or hazardous material within the building (e.g., asbestos, lead paint, etc.)
  - ii. Provide information on any current, pending or required remediation within the building
- f) Describe any structures currently on the Property, such as, water towers, above ground towers, above and underground storage tanks, cellular towers, high tension wire towers.
- g) Describe any building(s) or structure(s) previously on the Property, if known

**APPENDIX 2 - PREFERRED AREA MAP**  
STATE OF WISCONSIN, DEPARTMENT OF ADMINISTRATION  
REQUEST FOR PROPOSAL No. 505-008

The proposed Property must be located within the City of Milwaukee, WI and preferably within the following boundaries:

- Northern Boundary: W. Hampton Avenue
- Southern Boundary: W. Mitchell Street
- Eastern Boundary: Hwy 32 / Milwaukee Street / N. Holton Street / Shorewood Boulevard / Hwy 57
- Western Boundary: Highway 175

The following map is provided for informational purposes only



**APPENDIX 3 – FORM TO SUBMIT PROPOSER’S QUESTIONS**  
 STATE OF WISCONSIN, DEPARTMENT OF ADMINISTRATION  
 REQUEST FOR PROPOSALS No. 505-008

Instructions: Proposers may submit written requests for clarification of this RFP and/or questions to the DOA by utilizing this form, on or before October 7, 2019. Please submit the completed form via email to [doarealestateinfo@wisconsin.gov](mailto:doarealestateinfo@wisconsin.gov). Written responses to properly submitted relevant requests for clarification and/or questions from Proposers will be posted by the DOA on the following website: <https://doa.wi.gov/Pages/DoingBusiness/Current-Real-Estate-RFPs-and-RFIs.aspx> by October 14, 2019. **Solicitation of information from the State, DOA, or any State agency personnel other than through this form and process is prohibited and may result in disqualification of the Proposer.**

\* \* \*

Contact Information: All fields must be completed by the Proposer submitting the form.

Name (Please Print): \_\_\_\_\_

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

Company/Affiliation: \_\_\_\_\_

Email Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

RFP Section/ Appendix	Page No.	Request for Clarification and/or Question

**APPENDIX 4 - PROPOSER'S RESPONSE SHEET**  
 STATE OF WISCONSIN, DEPARTMENT OF ADMINISTRATION  
 REQUEST FOR PROPOSALS No. 505-008

Proposed Property Address/Location \_\_\_\_\_

**1. Purchase Terms and Conditions**

- a) Purchase Price \_\_\_\_\_
- b) Other Terms and Conditions \_\_\_\_\_

**2. Catalyst for Neighborhood Revitalization**

- a) Provide a description of how the proposed parcel(s), if developed by the State of Wisconsin, would economically benefit the surrounding neighborhood.
- b) Provide any related studies, long-range economic development plans, or other similar documentation that demonstrates the revitalization or development opportunities of the surrounding neighborhood.

**3. Locational Attributes and Site Information**

- a) It is preferred that the site be located within a geographic area as shown on Appendix 2
- b) Provide a legal description of the proposed Property
- c) Provide evidence of ownership or control of each proposed Property
- d) Provide a site plan or ALTA survey, if available, of the proposed Property including any existing building(s), structure(s), parking lot, water towers, above ground towers, above and underground storage tanks, ingress/egress and utilities, including but not limited to cellular towers and high-tension wire towers
- e) It is preferred that the location be on a bus line with regular bus service several times a day, with at least one bus stop within the immediate proximity of the location with an accessible sidewalk route to the building; provide these details for the proposed Property
- f) The site should have access to major roads, easily located with minimal turns, and readily visible; provide these details for the proposed Property

**4. Public and Municipal Services**

<b>Public Services</b>		
	<u>Provider</u>	<u>Nearest Location</u>
Police Services		
Fire Services		
<b>Municipal and Related Services</b>		

	<u>Existing (provide details)</u>	<u>Available (provide details)</u>
Electricity		
Natural Gas		
Water and Sewer Services		
Telephone		
Cable/Internet		
Fiber Optics		
Other		

Please provide additional details where possible.

**5. Property environmental matters**

- a) Provide any copies of any environmental studies and testing results which are in the possession of the owner
- b) Describe any known environmental issues associated with the proposed Property
- c) Provide information on any current, pending or required remediation activities on the proposed Property
- d) It is preferred that the selected Property is vacant and free of environmental contaminants, on the date of closing.

**6. Encumbrances**

- a) Provide information regarding any current or pending special assessments levied against the proposed Property. Proposers, at Proposer’s sole cost, shall be responsible for the payment of all special assessments, prior to closing
- b) Provide information on all known easements
- c) Indicate any known deed restrictions and/or other use restrictions
- d) Indicate whether that are any known encroachments

**7. Zoning and Land Use Matters**

- a) Provide information regarding the current zoning and land use classification. Closing on the selected Property will be contingent upon the State’s ability to secure the proper zoning for its intended use
- b) Provide documentation of all violation notices, notices of pending rezoning or land use reclassifications and all pleading or filings pertaining to zoning or land use actions or proceedings
- c) Provide any opinions of counsel as to zoning or land use matter in owner’s possession
- d) Provide copies of any agreements, orders or decrees concerning impact fees, linkage fees, and exactions

**8. General Information (attach the following information – not included in grading)**

- a) Provide address, parcel ID and legal description

- b) Identify the current owner of record and period of ownership
- c) Identify all present uses
- d) Identify all past uses, if known
- e) Describe any buildings currently on the Property
  - i. If known, indicate the presence of any contamination or hazardous material within the building (e.g., asbestos, lead paint, etc.)
  - ii. Provide information on any current, pending or required remediation within the building
- f) Describe any structures currently on the Property, such as, water towers, above ground towers, above and underground storage tanks, cellular towers, high tension wire towers.
- g) Describe any building(s) or structure(s) previously on the Property, if known

**9. SUBMITTED BY:**

**Proposer's Contact Information**

**Proposer's Agent Contact Information (if different)**

Company Name	Agent/Firm Name
Full Address (street and city)	Full Address (street and city)
Telephone Number (Office/Mobile)	Telephone Number (Office/Mobile)
Email Address	Email Address
Contact Name	Contact Name
Signature	Signature

**APPENDIX 5 - DESIGNATION OF CONFIDENTIAL AND PROPRIETARY INFO FORM**

STATE OF WISCONSIN, DEPARTMENT OF ADMINISTRATION

REQUEST FOR PROPOSALS No. 505-008

The attached material submitted in response to RFP No. 505-008 includes proprietary and confidential information which qualifies as a trade secret, as provided in §19.36(5), Wis. Stats., or is otherwise material that can be kept confidential under the Wisconsin Open Records Law. As such, we ask that certain pages, as indicated below, of this Proposal response be treated as confidential material and not be released without our written approval.

**Prices within submitted Proposals are always open record 'after' the Offer to Purchase is awarded and fully executed.**

Other information cannot be kept confidential unless it is a trade secret. Trade secret is defined in §134.90(1)(c), Wis. Stats. as follows: "Trade secret" means information, including a formula, pattern, compilation, program, device, method, technique or process to which all the following apply:

1. The information derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use.
2. The information is the subject of efforts to maintain its secrecy that are reasonable under the circumstances.

We request that the following pages not be released:

Item	Page(s)	Section	Topic
1			
2			
3			
4			
5			
6			

IN THE EVENT THE DESIGNATION OF CONFIDENTIALITY OF THIS INFORMATION IS CHALLENGED, THE UNDERSIGNED HEREBY AGREES TO PROVIDE LEGAL COUNSEL OR OTHER NECESSARY ASSISTANCE TO DEFEND THE DESIGNATION OF CONFIDENTIALITY.

Failure to include this form in the Proposal response may mean that all information provided as part of the Proposal response will be open to examination and copying. The State considers other markings of confidential in the Proposal document to be insufficient. The undersigned agrees to hold the State harmless for any damages arising out of the release of any materials unless they are specifically identified above.

Company Name:	
Authorized Representative (Signature)	
Authorized Representative (Type or Print Name):	
Date:	