

RFP No. 505-004

**REQUEST FOR PROPOSALS (RFP)
FOR
PURCHASE OF VACANT LAND OR LAND FOR REDEVELOPMENT
LOCATED
WITHIN THE CITY OF MILWAUKEE**

Issued: Friday, February 9, 2018



Due Date: Friday, March 9, 2018 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), Department of Administration (DOA) is seeking to purchase vacant land or redevelopment land comprised of one or more parcels and located within the legal boundaries of the city of Milwaukee (see Appendix 1) from a qualified development team, joint venture, individual (Proposer) to be used for the construction of a multi-story, approximately 165,000 gross square foot office facility. The parcel(s) should be large enough to also accommodate an above and/or an underground parking structure or a surface having approximately 680 spaces for staff, visitors, handicap, and secured spaces for 24/7 State fleet vehicles.

The DOA reserves the right to independently identify suitable properties that meet the criteria set forth in this RFP and directly solicit proposals from the property owner(s) or their agent(s).

II. SELECTION PROCESS

A. Schedule

The following table provides the process and the **TENTATIVE** time line to request, receive, and evaluate Proposals. The time line may be extended at the discretion of the DOA and posted at the following website: <https://doa.wi.gov/Pages/DoingBusiness/Current-Real-Estate-RFPs-and-RFIs.aspx>.

Process	Date or Time Line
RFP Posted	Friday, February 9, 2018
Requests for Clarification	Friday, February 23, 2018 at 3:00pm CT
Clarification Responses Posted	Friday, March 2, 2018 at 5:00pm CT
Proposals Due (Due Date)	Friday, March 9, 2018 at 3:00pm CT
Evaluation of Proposals	Weeks of March 19 and 26, 2018
Notification and/or Questions to Qualifying Proposers	Weeks of April 2 and 9, 2018
Evaluation of Revised Proposals	Weeks of April 16 and 23, 2018
Site Tours	Week of April 30, 2018
Confirmation of Final Proposals	Week of May 7, 2018
Final Evaluation	Weeks of May 14 and 21, 2018
Letter(s) of Intent Issued	Week of May 28, 2018
Signed Contingent Offer to Purchase	Week of June 25, 2018
State Building Commission Meeting	To be Determined
Targeted Closing Date	On or before September 28, 2018

B. Proposer's Questions

At or before 3:00 pm CT on Friday, February 23, 2018, Proposers may submit written requests of clarification of this RFP and/or questions to the DOA by utilizing the form provided in Appendix 2 of this RFP and submit the completed form via email to doarealestateinfo@wisconsin.gov. Please reference the RFP number in the subject line.

Written responses to properly submitted relevant requests for clarification and 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 5:00 pm CT on Friday, March 2, 2018. **Solicitation of information from the State, DOA, or tenant agency personnel other than through the designated form and process described herein is prohibited and may result in disqualification of the Proposer.**

C. Selection and Award Process

All Proposals submitted in response to this RFP will be evaluated by a selection committee and will involve a three-part selection process. The final selection of the Proposer(s) will be made by the Secretary of the Department of Administration.

1. Part One | Initial Evaluation of Submitted Proposals

Proposers must submit Proposals by the Due Date, which will be evaluated by a selection Committee using the parameters and the criteria listed in Section III of this RFP. Proposers submitting Proposals that meet the RFP requirements (Qualified Proposers), the number of which is at DOA discretion, will be notified and may receive additional questions to clarify the content of their Proposal or provide additional or relevant documentation. Proposers submitting Proposals that do not meet the RFP requirements will be notified and will be eliminated from further evaluation and consideration.

2. Part Two | Proposal Clarification and Site Visit

The written responses and/or requested documentation submitted by the Qualified Proposers will be incorporated into their original Proposal (Revised Proposal). The selection committee will review the Revised Proposals using the parameters and the criteria listed in Section III of this RFP. The selection committee may also request presentations, hold an in-person meeting, conduct a site visit, confirm the asking price for each of the proposed parcel(s), and/or request additional information from Qualified Proposer(s) to continue to Part Three of the Selection Process.

3. Part Three | Final Evaluation of Revised Proposal and Asking Price

The selection committee will complete its evaluation of the Revised Proposal, which will include a confirmation of the asking price for the parcel(s) by the Qualified Proposer and recommend the Revised Proposal(s) that best meet the needs of the State to the Secretary of the Department of Administration for review and selection. The Secretary may choose from the recommended Revised Proposal(s) or determine no selection and send the RFP back to the selection committee for additional information and/or further review.

While the confirmed asking price for each of the proposed parcel(s) in the Revised Proposal(s) will be heavily weighted, the final selection may not necessarily be the lowest confirmed asking price for the parcel(s). Selection will also be based upon criteria which best meets the needs of the State.

4. Letter of Intent

After the selected Qualified Proposer(s) have been identified, the State will send Letter(s) of Intent to the selected Qualified Proposer(s). Further clarification and negotiation may be required. Should the State be unable to successfully negotiate an offer to purchase with the selected Qualified

Proposer(s), it reserves the right to cancel the selection and negotiate with another Qualified Proposer(s). **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 per Section IV. B. of this RFP.**

A signed offer to purchase will be contingent upon approval of the State Building Commission per Section IV. C. of this RFP.

III. PROPOSAL SUBMITTAL REQUIREMENTS

Proposals must be submitted utilizing the following format requirements and process:

A. Submission

In responding to this RFP, Proposers must submit the following:

- Utilization of the Proposer's Response Sheet (see Appendix 3)
- One (1) original and four (4) printed copies of the Proposal, which will serve as the official copies
- One (1) electronic PDF copy of the Proposal on a flash drive

Proposals may be disqualified if the printed and electronic copies are not simultaneously submitted by the Due Date and/or if the contents of the Proposals are not exactly the same.

PROPOSALS ARE DUE BY 3:00 PM CT ON FRIDAY, MARCH 9, 2018 (Due Date).

Proposals received after the Due Date will not be accepted and will be marked late, unopened, and returned to sender. Sealed copies of the Proposals shall be hand delivered to the DOA 7th floor receptionist desk for a date and time stamp.

Please mark the outside of the sealed submittal envelope/box containing the Proposals and flash drive with: "RFP No. 505-004 – Purchase of Vacant Land or Land for Redevelopment" and hand deliver it to the following address:

State of Wisconsin
Department of Administration
Division of Facilities Development & Management
101 East Wilson Street, 7th Floor
Madison, WI 53703-3405

B. Format

Proposals should be well organized, spiral bound, and printed on single-sided 8.5"x11" paper, either portrait or landscape, with a minimum of one inch margins and a font size of 11-points. For legibility purposes, site plans, schedules, or other relevant proposal documents may be printed on 11"x17" paper folded to be equivalent to 8.5"x11" paper.

C. Criteria

Proposals will be evaluated on the following criteria:

- 1) Site location, attributes, and other information
- 2) Access to public services and utilities
- 3) Property environmental matters
- 4) Encumbrances
- 5) Zoning and land use matters
- 6) Asking price (by parcel), terms and conditions
- 7) Other information regarding each Proposed Parcel

D. Content of the Proposal

A Proposal must include the following information:

1. Introduction Letter (2 page maximum)

The introduction letter should identify each member firm of the Proposer Team; identify if any member firm of the Proposer Team is a Minority Business Enterprise (MBE) or Disabled Veteran-Owned Business (DVB); identify the key contact for this Project; attest that no member firm of the Proposer Team has filed for bankruptcy in the last ten (10) years or is currently in bankruptcy; affirm each member firm of the Proposer Team is authorized to submit a proposal and can complete the sale of land described in this RFP if selected; and **must be signed by an authorized member firm of the Proposer Team.**

2. Proposer's Response Sheet

Please provide a written response and/or supporting documentation to each of the Project requirements in Appendix 3, including:

- a) A fully completed "Proposer's Response Sheet;"
- b) A site plan or ALTA survey of the proposed parcel(s) indicating existing building(s), structure(s), parking (including the number and type of spaces), ingress/egress, and utilities; and
- c) Describe or show on the above site plan or ALTA survey current or proposed public transportation (including route(s) and frequency).

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. All negotiations relative to this RFP 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 DOWBDMBD@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 time lines;
- 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. Predevelopment and Development Costs

The State is not liable for any costs incurred by a Proposer in replying to this RFP.

In addition, Proposers should be aware of the following:

- a. Proposers shall be solely responsible for all pre-development (including demolition of existing improvements, if proposed, and due diligence studies such as traffic, geotechnical, storm water management, and other site preparations) and development costs associated with the proposed parcel;
- b. Proposers shall be solely responsible for all costs related to obtaining necessary permits, approvals, clearances, and licenses up until the time of closing, and;
- c. All equity and self-funded project pre-development money expended by a Proposer is at the sole risk of the Proposer. The State shall under no circumstances be responsible to reimburse same, whether pre- or post-selection.

2. Change in Proposer's Information

If there are any changes to any of the member firms of the Proposer, the Proposer must notify the State in writing and provide updated information in the same format as prescribed in the RFP for the appropriate section of the Proposal. The State reserves the right to evaluate the modified Proposal,

eliminate the Proposer from further consideration, or take other action the State may deem appropriate.

3. Ownership and Use of Proposal

Once submitted, all Proposals shall be the property of the State. The State may use any and all ideas and materials included in any Proposal, whether the Proposal is selected or rejected.

4. Communications with Media, Government Agencies, and Community

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

5. Selection Non-Binding

The State's selection of a Proposer(s) indicates only its intent to negotiate with the selected Proposer(s), and the selection does not constitute a commitment by the State to execute a final offer to purchase with that Proposer(s). 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 employee's actions for any costs or liabilities incurred as a result of responding to this RFP.

6. Wisconsin Open Records Law

All information in a Proposer's Proposal is subject to the provisions of the Wisconsin Open 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 and should 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 4 of this RFP.

7. State Law

Any agreement between the State and the successful Proposer(s) arising from this RFP will be governed, construed, and interpreted in accordance with the laws of the State of Wisconsin. Proposers are advised that under such laws, the State will not indemnify the successful Proposer(s) against claims, demands, suits, actions, proceedings, liabilities, damages, losses, costs, or expenses of any kind by reason of injury or death to any person or for property damage arising out of or relating to the work to be performed.

C. State Building Commission Approval

The State Building Commission has statutory authority to approve the acquisition of real estate on behalf of the State. Proposers responding to this RFP should be aware of and take into consideration the following State Building Commission policies:

- State Building Commission policies require compatibility with local, jurisdictional governments in their long-range planning, economic development and zoning efforts. Failure to consider and address local zoning and municipal planning efforts in your proposal may lead to disqualification.

- The State Building Commission, in the effort to support local government planning, zoning and economic development, will consider recommendations from local officials as to the placement and use of State facilities. Proposers should be aware that local officials and community input may be sought by the State Building Commission and can be a factor in the approval process.
- The local and/or county officials' support may impact the approval of any project and their support does not guarantee approval of the State Building Commission.

V. APPENDICES

Appendix 1 – Preferred Area Map

Appendix 2 – Form to Submit Proposer's Questions

Appendix 3 – Proposer's Response Sheet

Appendix 4 - Designation of Confidential and Proprietary Information Form

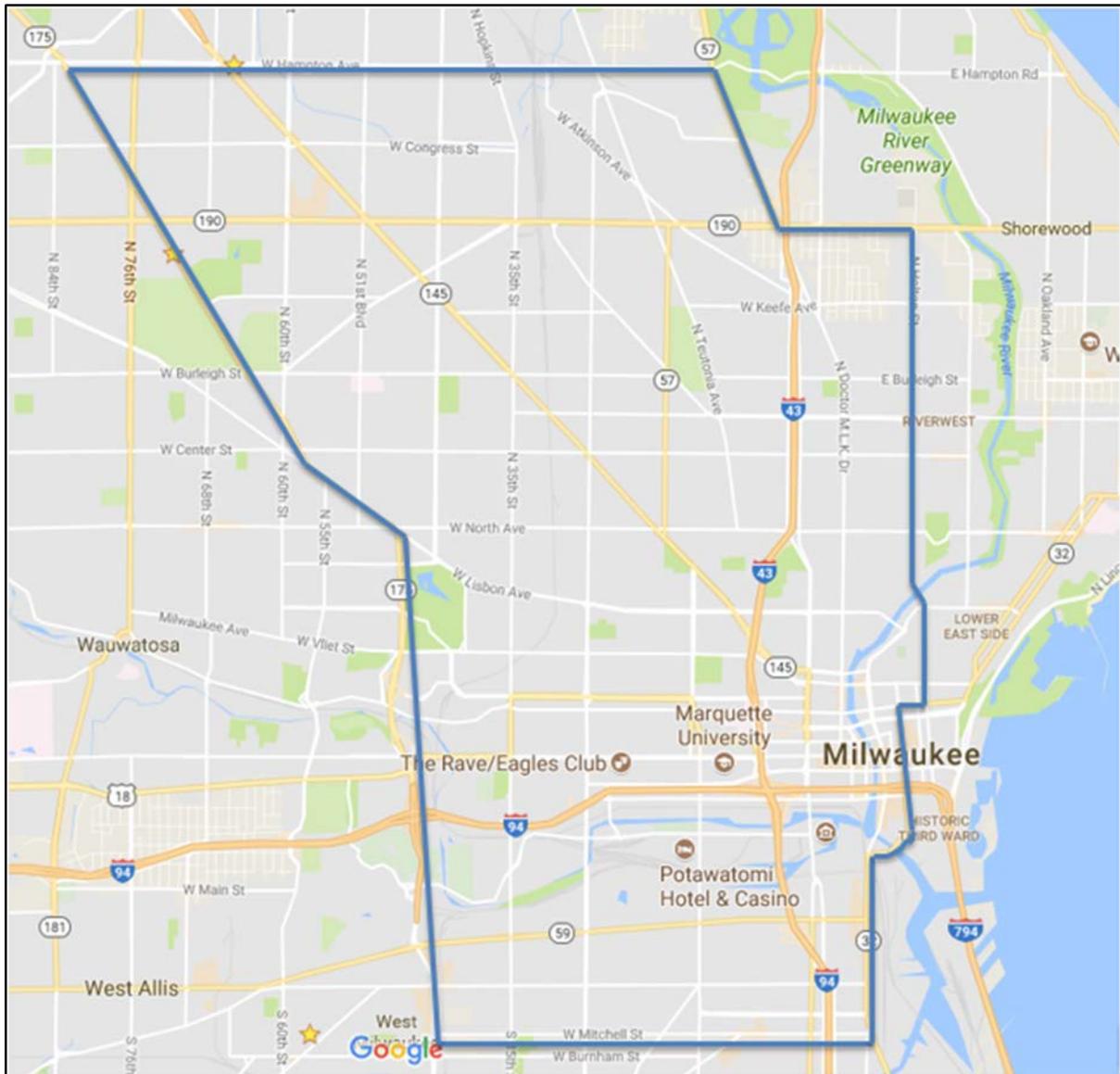
**APPENDIX 1
PREFERRED AREA MAP**

STATE OF WISCONSIN, DEPARTMENT OF ADMINISTRATION
PURCHASE OF VACANT LAND OR LAND FOR REDEVELOPMENT | REQUEST FOR PROPOSALS No. 505-004

The proposed property location is preferred to be within the legal boundaries of the City of Milwaukee, Wisconsin having a preference for a site located within the following boundaries:

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

The following map is provided for informational purposes only



**APPENDIX 3
PROPOSER'S RESPONSE SHEET**

STATE OF WISCONSIN, DEPARTMENT OF ADMINISTRATION
PURCHASE OF VACANT LAND OR LAND FOR REDEVELOPMENT | REQUEST FOR PROPOSALS No. 505-004

The Proposal 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) Site Location, Attributes, and other Information

Parcel No.	Address	Tax ID Number	Acres
1			
2			
3			
4			
5			

- a) The proposed parcel(s) is located in the legal municipal boundaries of the city of Milwaukee.
- b) Provide a legal description of each proposed parcel
- c) Provide evidence of ownership or control of each proposed parcel
- d) Provide a site plan or ALTA survey, if available, of the proposed parcel(s) indicating existing building(s), structure(s), parking (including the number and type of spaces), 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) Describe or show on the above site plan or ALTA survey current or proposed public transportation (including route(s) information and frequency).
- f) The proposed parcel(s) should have access to major roads, easily located with minimum turns, and readily visible.

2) Access to Public Services and Utilities

- a) Please confirm availability, existence, or location of the following public services:
 - i) Police and closet precinct
 - ii) Fire protection and location
- b) Please confirm availability, existence, or location of the following utilities:
 - i) Electricity
 - ii) Natural gas
 - iii) Water and sewer services
 - iv) Telephone
 - v) Cable
 - vi) Fiber optics
 - vii) Other

**APPENDIX 3
PROPOSER'S RESPONSE SHEET**

STATE OF WISCONSIN, DEPARTMENT OF ADMINISTRATION
PURCHASE OF VACANT LAND OR LAND FOR REDEVELOPMENT | REQUEST FOR PROPOSALS No. 505-004

3) Property Environmental Matters

- a) Describe any known environmental issues associated with each proposed parcel
- b) Provide copies of any environmental studies of each proposed parcel
- c) Provide information and estimated costs on any current, pending, or required remediation activities on each proposed parcel, if applicable
- d) Identify any person or entity responsible for environmental matters at the proposed parcel, if applicable

4) Encumbrances

- a) Indicated or provide evidence of any current or pending special assessment for each proposed parcel
- b) Indicate or provide evidence of any known easements for each proposed parcel
- c) Indicate or provide evidence of any known use deed restrictions and/or other use restrictions for each proposed parcel
- d) Indicated or provide evidence of any known encroachments on any proposed parcel

5) Zoning and Land Use Matters

- a) Provide evidence of current zoning and land use classification for each proposed parcel
- 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 for each proposed parcel
- c) Provide any opinions of counsel as to zoning or land use matter in owner's possession for each proposed parcel
- d) Provide copies of any agreements, orders or decrees concerning impact fees, linkage fees, and exactions for each proposed parcel
- e) Provide copies of any agreements relating to growth management or adequate public facilities laws or regulations for each proposed parcel
- f) Provide copies of any agreements or proposed deeds with respect to any contemplated dedication or proffers to any governmental agency or private body of any portion of each proposed parcel

6) Asking Price for Each Proposed Parcel

Parcel No.	Asking Price	Tax ID Number	Acres
1			
2			
3			
4			
5			

- a) Provide any financial or legal terms or conditions associated for each proposed parcel

**APPENDIX 3
PROPOSER'S RESPONSE SHEET**

STATE OF WISCONSIN, DEPARTMENT OF ADMINISTRATION
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7) Other Information Regarding Each Proposed Parcel

- a) Identify all current owners of record and period of ownership
- b) Identify all present uses
- c) Identify all past uses, if known
- d) For each building or structure, provide information regarding any current or prior contamination or hazardous material within the building (e.g. asbestos, lead paint, etc.)

Submitted by:

Proposer's Contact Information	Proposer's Agent Contact Information (if different)
Contact Name	Contact Name
Company Name	Agent/Firm Name
Street Address (No PO Boxes)	Street Address (No PO Boxes)
City, State and Zip Code	City, State and Zip Code
Telephone Number (Indicate if Office or Mobile)	Telephone Number (Indicate if Office or Mobile)
Email Address	Email Address
Signature	Signature

APPENDIX 4

DESIGNATION OF CONFIDENTIAL AND PROPRIETARY INFORMATION FORM

STATE OF WISCONSIN, DEPARTMENT OF ADMINISTRATION

PURCHASE OF VACANT LAND OR LAND FOR REDEVELOPMENT | REQUEST FOR PROPOSALS No. 505-004

The attached material submitted in response to RFP No. 505-004 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 always become public information when proposals are opened, and therefore cannot be kept confidential.

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 of 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	Section	Page(s)	Topic
1			
2			
3			
4			
5			

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:	