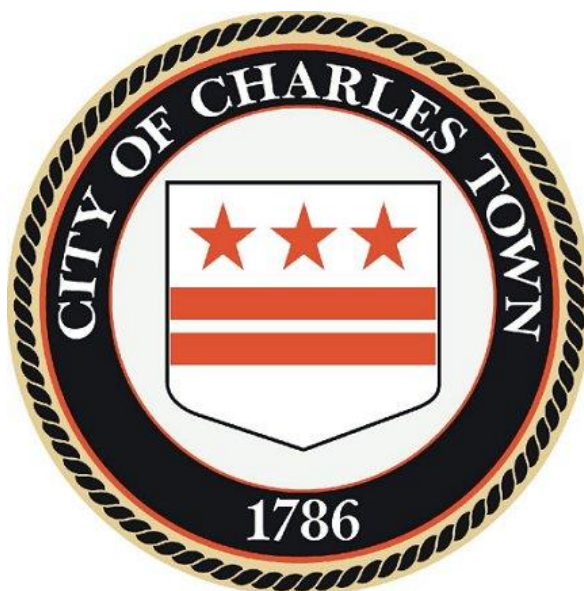


**REQUEST FOR REUSE PROPOSALS FOR CITY-OWNED REAL
PROPERTY AT
114 W. LIBERTY STREET
RELEASED: March 9, 2020**



**SUBMISSION DEADLINE:
May 29, 2020**

Issued by:
City of Charles Town City Council and Building Commission
101 E. Washington Street
Charles Town, West Virginia
www.charlestownwv.us

Contact Daryl Hennessy at citymanager@charlestownwv.us
for questions regarding to this RFP

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INTRODUCTION

The City of Charles Town and the City of Charles Town Building Commission (“City”) are seeking proposals for the acquisition and reuse of a City-owned property located at 114 West Liberty Street. The parcel is approximately 6,500 square feet (.1469 acres). The rectangular shaped parcel is located at the corner of West Liberty Street and North Charles Street in the City of Charles Town in West Virginia.

Proposals shall be consistent with Charles Town’s economic development goals for a thriving downtown. Proposals will be evaluated on the criteria detailed below.

The City has three primary development goals for the property:

1. retail commercial development that is a destination business that attracts patrons during daytime and evening hours;
2. promotes the Charles Town Comprehensive Plan of creating a vibrant active downtown setting; and
3. a use that will stimulate other desirable economic, social and cultural development.

The City will consider complete and responsive development proposals that are consistent with the development goals for this property. The property will be sold “As Is” with no warranty. The City will make the property available for inspections to interested parties.

Site Facts

- Address: 114 W. Liberty Street
- Property ID#: District 3; Map 2, Parcel 27.01
- Acreage of Site: .1469 acres
- Sq. Ft. of Site: Approximately 6,500
- Zoning: OT-MUC (Old Town Mixed Use Commercial)
- Current Land Use: Vacant
- Street Frontage: 52 feet
- Cross Street: Charles Street
- Parking: Approximately 7 leased spaces

Sales and Marketing

- The City will provide a commission of three percent (3%) of the final sales price to any licensed real estate broker who assists a successful applicant in submitting a proposal and closing the transaction.
- The broker must be identified at the time the initial proposal is submitted to be eligible for this commission.

Proposals are due in City Hall at 101 East Washington Street no later than 4:00 p.m. local time on May 29, 2020.

Project staff will hold a pre-proposal meeting on Wednesday, April 1, 2020 at 10:00 a.m. at the City of Charles Town City Hall located at 101 East Washington Street to discuss the RFP and answer questions. Attendance at this meeting is optional for prospective applicants.



Aerial Photo of Site Location

(North is at top of photo)

DEFINITIONS

For the purposes of this RFP, the following terms have the following meanings:

- a) “City” shall mean the City of Charles Town and its Building Commission, West Virginia.
- b) “Contract” shall mean the agreement between the city and vendor chosen as a result of this RFP, which addresses the requested goods and services.
- c) “Proposal” shall mean the written document submitted to the City of Charles Town in response to this RFP.
- d) “Proposer” shall mean an individual or business entity submitting a Proposal in response to this RFP.

PROPERTY DESCRIPTION AND BACKGROUND

114 West Liberty Street is a City-owned development property located at the NE corner of West Liberty Street and North Charles Street in the City of Charles Town in West Virginia. The parcel is approximately 6,500 square feet (.1469 acres) and is rectangular shaped. A survey of the parcel is available on the City of Charles Town’s website at www.charlestownwv.us. The City will negotiate a permanent parking lease with the successful proposer for the exclusive use of approximately seven (7) parking spaces located behind the building and within the existing chain link fence

The subject property is in historic downtown Charles Town and is a block off Washington Street, the main corridor through town. This unique property location provides the lure of foot traffic coupled with great potential to become a traveler's destination. It is within walking distance of historical neighborhoods and employee dense businesses. This property sits amongst a cluster of intensive neighborhood-serving non-residential entities, such as the Old Opera House, Charles Washington Hall, and City Hall. Additionally, local attractions such as Abolitionist Ale Works, and B. Vintage, and Sumittra provide a local, but also, tourist draw to the surrounding area. Cornerstone businesses, such as Needful Things, Grandma's Diner, and Feagan's Jewelers show success and longevity within the town.

The City has received inquiries about the sale and use of this property and is issuing this request for proposals to create a competitive development solicitation process and secure the most beneficial redevelopment that is consistent with the City's Comprehensive Plan goals.








The subject property is zoned OT-MUC, which is the Old Town Mix Use Commercial District (see the attached map). This zoning district is established to promote a mixed-use environment that may include office buildings, community service uses, and moderate to high-density dwellings, as well as limited small-scale retail spaces in mixed-use buildings to serve the immediate surrounding neighborhood. The district is intended to serve as a transition between higher density uses and the surrounding low or moderate density residential neighborhoods. Responsive proposals to this RFP must be consistent with both the existing OT-MUC and the City's specific redevelopment goals for this property.

REDEVELOPMENT GOALS

The City will consider all complete and responsive proposals that are consistent with the development goals for this property. Proposals may be submitted by for-profit or non-profit proposers and their development teams for economically viable development that can be either owner-user or investment property, for either single tenant or multi-tenant use.

ZONING MAP



Zoning Districts	
	Residential Low Density
	Residential Medium-High Density
	Neighborhood Residential
	Old Town Residential
	Old Town Mixed Use Commercial
	Neighborhood Commercial
	General Commercial

There are three primary redevelopment goals for this property.

1. Promotes the Charles Town Comprehensive Plan of creating a vibrant active downtown setting.

A healthy, vibrant, and growing Downtown Charles Town is essential to the City's overall sustainability, quality of life, and future economic competitiveness. The Comprehensive Plan recognizes the Downtown as the urban core. The Downtown symbolizes the city's image, and creates the unique identity needed for growth. Through effective economic development activities, these elements can be strengthened, resulting in a sustainable future. To this end, the Plan highlights the following key elements to support a thriving urban core:

- Increase economic vitality through Downtown and neighborhood revitalization.
- Help new and existing Downtown businesses be successful through increased visitation and technical assistance.
- Provide attractive storefronts occupied with a variety of appealing retail and service businesses.
- Create and maintain a clean, well-lighted, and inviting appearance day and night throughout the Downtown.
- Preserve and protect the Downtown's architecture that offers a quality experience in history and culture.
- Develop and create Downtown events and activities that will attract and benefit the community.
- Promote adaptive reuse of and investment into Downtown properties that strengthens the mix of uses within multistory structures.

2. Retail commercial development that is a destination business that attracts patrons during daytime and evening hours.

In keeping with the desired goals above, responsive proposals shall detail how the proposed use will promote a destination business that attracts patrons during daytime and evening hours. Proposed uses will be permitted commercial, institutional or public land uses in the Old Town Mixed Use Commercial district (OT-MUC), as defined in the Charles Town zoning code. Uses or alterations should be consistent with the development standards for the zoning district.

3. A use that will stimulate other desirable economic, social and cultural development.

Proposals that will likely create synergy and result in positive economic, social or cultural development are desired. Proposals that attract customers, increase nightlife activity, and have an energetic model are encouraged. Such business models often promote and encourage clustering of similar business ventures, which in turn is a draw for customers, tourists, and community.

PRICE

Submittals must include an offer price, which will be one of multiple criteria for evaluating proposals.

PROPOSAL DEADLINE AND SUBMISSION REQUIREMENTS

Proposers must submit copies of their proposals as follows:

- One (1) unbound copy
- One (1) electronic version in PDF format on a CD or USB Drive, including Excel files for project financial information as described below.
- Proposals must be on standard 8 ½” by 11” paper. All supporting documentation must be on paper no larger than 11” by 17”.
- Proposals and supporting documentation must be submitted in a sealed envelope labeled “114 W Liberty Street Redevelopment Proposal.”

E-mailed or telefaxed proposals will not be accepted. Proposers may choose to provide additional copies if invited to do so for presentation purposes. Submissions will not be returned.

Proposals shall be delivered to the City on or before:

- **May 29, 2020 at 4:00 p.m. (local time)**

Proposals shall be delivered to:

Daryl Hennessy, City Manager
101 East Washington Street
Charles Town, WV 25414

Proposals received after the deadline will not be accepted. It is neither the City’s responsibility nor practice to acknowledge receipt of any proposal. It is the proposer’s responsibility to assure that a proposal is received in a timely manner.

RFP INQUIRIES

Prospective proposers may only direct questions in writing to the department contact person:

Daryl Hennessy, City Manager
101 East Washington Street
Charles Town, WV 25414
Email: dhennesy@charlestownwv.us

Project staff will hold a pre-proposal meeting on April 1, 2020 at 10:00 a.m. at the Charles Town City Hall at 101 East Washington Street, Charles Town, WV to discuss the RFP and answer questions. Attendance at this meeting is not mandatory for prospective applicants.

A summary of the meeting will be posted on the City of Charles Town's webpage under the dropdown menu **Business – Current Bids/RFP's**.

All additional questions are due in writing no later than **April 10, 2020 at 4:00 p.m.** Questions will be answered in writing and posted on the City of Charles Town's website by April 20, 2020. Proposers are encouraged to monitor the City of Charles Town's webpage for this solicitation.

The department contact person is the only individual who can be contacted about the RFP by proposers before the proposal deadline. The department contact cannot vary the terms of the RFP.

ADDENDA INTERPRETATIONS

If it becomes necessary to revise any part of this RFP, a written addendum will be provided. The City is not bound by any oral clarifications changing the scope of the work for this project. All addenda issued by the City will become part of the official RFP and will be mailed to all registered Proposers based upon the contact information at the time of registration.

ASSIGNMENT OF CONTRACTUAL RIGHTS

It is agreed that this contract must not be assigned, transferred, conveyed, or otherwise disposed of by either party in any manner, unless approved in writing by the other party.

The City reserves the right to include restrictions and/or covenants to the deed at the time of sale to bind the successful applicant to the use and conditions outlined in their proposal.

PROPOSAL CONTENTS

Proposals must include the following information to be deemed complete and responsive and must be in the following order and with corresponding section numbering (all proposals must include page numbers). Select items below must be presented in special format as noted.

Proposals deemed incomplete and/or non-responsive will not be considered.

Proposals for this site will be accepted from for-profit or non-profit entities and development teams; for projects that are either owner-user or investment properties; and for either single-tenant or multi-tenant uses that are generally consistent with the site zoning. Proposal contents should be complete and reflect the specific ownership, financing and funding sources, and land use features of the proposed project.

The information being requested by this RFP is necessary for the City to adequately evaluate your proposal. Failure to supply the requested information may result in rejection of your proposal. The City is not responsible for the costs incurred by proposers or their subcontractors in connection with this RFP process, including, but not limited to costs associated with preparing a proposal or associated with participating in any presentations or

negotiations related to this RFP.

- 1. A cover page that includes the following information:**
 - a. Proposer's name and mailing address
 - b. Proposer's current legal status: corporation, partnership, sole proprietor, non-profit, etc.
 - c. Federal ID number or Social Security number
 - d. State ID number
 - e. Contact person's name, title, phone number and e-mail address
 - f. Signature of authorized corporate officer for each entity proposing as a partnership or team
 - g. The name and contact information of a licensed real estate broker assisting the applicant with their proposal.

- 2. A complete description of any proposed renovations or modifications to the structure, including narrative, preliminary schematic plans and elevations (e.g., nature of improvements). If applicable, information should be included about the anticipated type of tenants expected.**

- 3. An identification of the entities that will be involved, including the following information:**
 - a. A description of the roles they will play (e.g., developer, architect, building owner, property manager, tenant, professional consultant).
 - b. A summary of the development team's experience in working together.
 - c. A description of the entity's experience in developing similar projects, including location, type of development, proposer's role(s), cost of project, funding sources, status of project, and information about any continued financial or operating interest in each.
 - d. Include specific previous relevant experience with public entities, including reference contact information. The City may ask for supporting documentation substantiating claims of previous experience.
 - e. Summarize any lawsuits to which the proposer or any principals of the proposer have been a party.
 - f. Identify the principal person who will speak for the development team and any other key participants who will be involved in negotiating the project terms.
 - g. The proposer must also provide two years of financial statements or demonstrate financial wherewithal, which may be submitted to the Charles Town City Manager under separate cover.
 - h. Any design consultants on the team must be licensed in the State of West Virginia, as applicable, and contractors must be licensed to work in the City of Charles Town. The submission must include a certification that identified team members meet these requirements.
 - i. Identify any other business or property holdings in Charles Town and participation in any businesses, business partnerships, or community- based partnerships in this area.

4. A **development budget** showing the detailed sources and uses of all funds (including debt, equity and other funding sources) to acquire and undertake the proposed use of the site (including any tenant improvements). Include the offer price for the building. Information as to the status of securing those funds should be included, and inclusion of a conditional financing commitment is strongly encouraged. If the capital budget includes significant public or foundation grants, describe the project's proposed capital campaign and provide evidence of previous success with grantors. Clearly indicate any public funding assistance to be requested. If the project includes multiple uses, the development budget should be broken down by the component uses (commercial, office, etc.). **Please provide one electronic and editable copy of the development budget and pro forma including all underlying assumptions and equations in .xls format.**
5. An **operating pro forma** of at least 10 years for the building operation, including the assumptions underlying the income and expense projections. Clearly indicate assumptions, when applicable, for operating expenses, growth rates, debt service, capital and operating reserves, taxes, rental rates, and vacancy rates. If the project includes multiple uses, the operating pro forma should be broken down by the component uses. If appropriate, also show the cash-on-cash return, internal rate of return, and available cash flow. If the project operating budget relies upon income derived from program revenues, public or foundation grants, provide evidence of previous successful revenue raising and funding experience. A detailed pro forma in a format acceptable to the City will be required during the negotiation of a redevelopment agreement. **Please provide one electronic and editable copy of the pro forma including all underlying assumptions and equations in .xls format.**
6. **Letter(s) of intent from tenants**, documentation of local demand, or other information documenting the demand for the proposed space.
7. A **description of how the proposed project meets each of the three development goals identified for this property.** Also include a description of the additional public benefits that will result from the development, such as the jobs created or retained (including the estimated number, type and wage levels), the provision of retail goods, commercial or human services, etc. This should include an estimate of the taxable value upon completion and annual real estate taxes.
8. A **proposed timeframe** for the development, including identification of any conditions that must be met before the proposal can become a reality. The schedule should include the time needed to obtain financing, complete design and secure permits and approvals, prepare the site, start and complete construction, and start and complete occupancy and/or lease-up.
9. An **executed "Consent for Release of Response Data" form** (Attachment 1). Proposals that do not include an executed "Consent for Release of Response Data" form shall be considered incomplete which will be grounds for rejection of the entire proposal.
10. Any **other information** that would help City staff understand and evaluate the

concept.

The contents of the proposal and any clarification to the contents submitted by the successful proposer may become part of the contractual obligation and be incorporated by reference into the redevelopment contract between the selected developer and the City.

Proposers to this RFP are not required to provide a deposit with the proposals. However, the proposer whose proposal is ultimately selected by the City Council must make the required deposit of 10% of the Purchase Price at the time that the land sale is approved. This good faith deposit will be held by the City until the closing is complete.

EVALUATION CRITERIA

In reviewing potential development concepts, the following criteria are among those that will be considered: (weight the criteria by points)

1. The experience and the financial and organizational capacity of the proposer in successfully planning and completing development projects of similar type and scale.
2. The extent to which the proposed development follows the Charles Town Zoning Code, comprehensive plan, and other relevant planning documents for the area.
3. The extent to which the project achieves the three development goals identified for this property.
4. Quality of proposed development, including renovation or modifications.
5. The extent to which the project can move forward on the proposed timetable.
6. The market and financial feasibility of the project.
7. The anticipated ability of the project to secure necessary private or public funds.
8. The public benefits that would be provided by the project.
9. Overall quality of the submission.
10. Purchase price. While the purchase price will be factor in the bids submitted, meeting the redevelopment goals will also be a determining factor.

The City may, in its sole discretion, expand or reduce the criteria upon which it bases its final decisions regarding selection of the development team or developer for this site.

REVIEW/SELECTION PROCESS

A committee comprised of City staff and representatives from City Council and the Building Commission will review proposals received by the due date that are deemed complete and responsive. This review will occur on or about June 10, 2020, with the review panel's

recommendations forward to the Charles Town City Council and Building Commission for selection of the preferred developer in July 2020.

If the City selects a development proposal, staff will proceed to negotiate with the selected developer the terms of the proposed land sale and redevelopment agreement, while the developer pursues their project financing commitments and design development. Once the redevelopment contract terms have been negotiated and project feasibility is confirmed, staff will return to the City Council and the Building Commission for consideration of the final sales terms.

The City reserves the right to reject, at any time for any reason, any or all proposals or parts of proposals, to negotiate modifications of proposals submitted, and to negotiate specific work elements with a proposer into a project of lesser or greater magnitude than described in this RFP or the proposer's reply.

TENTATIVE SCHEDULE

It is the City's desire that a buyer is identified as soon as possible and that reuse of the site would commence no later than twelve (12) months after the sale is completed.

Following is the anticipated timeline for this project (subject to change):	
Pre-proposal meeting at City Hall:	April 1, 2020 at 10:00 am
RFP Questions due:	April 10, 2020 at 4:00 pm
Submission deadline for proposals:	May 29, 2020 at 4:00 pm
Joint Panel Review of Proposals:	June 10, 2020
Recommendation to CC/BC	July 2020
Terms Negotiated:	August 2020
Approval of Terms and Conditions (CC/BC):	September 2020
Closing:	September 2020

CITY CONTRACTING REQUIREMENTS

The selected developer will be required to enter into a redevelopment contract with the City that will contain standard City requirements such as insurance, performance bond, and indemnification and provisions to ensure redevelopment of the Property (e.g., financing plan approval prior to commencement of renovations, construction, and transfer, reversionary

rights, and other requirements depending upon the type of development).

The following list is not exhaustive. Proposers unfamiliar with these standard requirements are urged to seek further information from City staff.

LIST OF EXHIBITS

Exhibits and any further information to be posted will be available for download from The City of Charles Town's webpage (www.charlestownwv.us) under the drop down menu titled **Business – Current Bids/RFP's**. The list of exhibits includes:

- Extract from Charles Town Zoning Code for OT-MUC Old Town Mixed Use Commercial Zoning District.
- Commercial appraisal completed on the property in December 2019.

Attachment 1

Form of Consent for Release of Response Data

_____, 2020

City of Charles Town
Office of the City Manager
101 East Washington Street Charles Town, WV 25414

Re: 101 East Washington Street

Request for Proposals Consent for Release of Response Data

_____, on behalf of
_____, hereby consents to the release
of its development proposal submitted in response to the Request for Proposals for
114 West Liberty Street and waives any claims it may have under West Virginia State
Code against the City of Charles Town and the City of Charles Town Building
Commission for making such information public.

The foregoing consent and waiver does not extend to financial statements submitted
under separate confidential cover, which shall be treated by the City consistent with West
Virginia State Code Section _____.

Authorized Representative Signature

Title

Date