



**TOWN OF THATCHER, ARIZONA
NOTICE OF REQUEST FOR PROPOSALS**

SOLICITATION TITLE: **DISPOSITION AND DEVELOPMENT OF LAND:**
4.4 Acres, parcel 104-09-149 Located along US 70 in
Thatcher at the signalized intersection of US 70 (Main
Street) and Third Avenue

SOLICITATION NO.: 2021-02

SUBMITTAL DUE DATE: January 27, 2022

SUBMITTAL DUE TIME: 5:00 pm Mountain Standard Time (local Arizona time)

LOCATION: **MAILING ADDRESS:**
Thatcher Town Hall
Attn: Heath Brown
3700 W. Main Street
Thatcher, AZ 85552
Town of Thatcher
Attn: Heath Brown
PO BOX 670
Thatcher, AZ 85552

Sealed submittals for this Request for Proposals (RFP) will be received by the Town of Thatcher, 3700 W. Main Street, Thatcher, AZ 85552, until the time and date cited above. Names of Offerors whose offers are received timely will be opened publicly and read aloud **at Town Hall.**

Offers must be in the actual possession of the Town and stamped as received by a staff member on or prior to the exact time and date indicated above. Late submittals will not be considered under any circumstances.

Offers must be submitted in a sealed package with the solicitation invitation number and the Offeror's name and address clearly indicated on the outside of the package. All offers must be completed in ink or typewritten. Additional instructions for preparing offers are provided on the following pages.

Issue Date: November 18, 2021

CONTACT:
Heath Brown
Town of Thatcher, Town Manager
hbrown@thatcher.az.gov
928-428-2290

PROPOSAL INTENT

Proposal Intent

Offerors are asked to submit a written proposal based on the criteria listed below, subject to any addenda that the Town may release prior to close of the offering period. Proposals will be reviewed and scored by the Town's evaluation panel and will serve as the basis for the interview between the Offeror and the Town's evaluation panel.

The Town is seeking to understand the Offeror's intent and development proposal based on the Town's vision for the 4.4-acre site through a well-written narrative outlining how the Offeror intends to approach the development. (See below for the Town's vision). In addition, Offerors shall submit a conceptual site plan showing anticipated land uses and densities. No additional design work of any kind, such as elevations, is needed at this stage of the process. As the Town is seeking to balance the fulfillment of its vision for this property with a fair economic return, Offerors shall also submit a terms sheet that reflects their proposed terms for the acquisition of the property based on the proposal.

The Town acknowledges that proposals will be speculative and based on Offeror's best and current understanding of the site, market and the Town's goals at the early stages of this process. That said, the Town is seeking complete proposals that demonstrate the Offeror's experience and soundness of approach to planning, financing and developing the site.

Assumptions to Use for Proposal

- a. **Existing Zoning:** The intent is for the property to remain under its current C-2 Highway Commercial zoning category. All entitlement and permitting will be completed in accordance with the Town's codes and standards. No additional General Plan amendment is needed to accommodate the anticipated project.
- b. **Utilities:** Offerors are to assume all standard utilities (water, sewer, electric, gas and telecom) are present adjacent to or in vicinity of the site and of sufficient capacities to accommodate the anticipated project.
- c. **Property Disposition:** Sale of the property will be contingent upon Town Council approval of (1) a proposal, and (2) a development and disposition agreement, including a purchase agreement. The evaluation panel may choose to recommend any number of proposals to the Town Council. Approval of a selected proposal by Town Council will initiate an approximately 60-day agreement negotiation/due diligence period. If negotiations are successful, the Town Council may consider the negotiated development and disposition agreement, including purchase agreement. If the Town Council approves a development and disposition agreement, including purchase agreement, Offeror will be expected to execute such development and disposition agreement and purchase agreement in the form and substance approved by the Town, and in accordance with the below schedule.

- d. **On-Site Infrastructure:** The design, financing and construction of site infrastructure is the responsibility of the Offeror. Proposals may request minimal Town assistance which may or may not be approved. The Town would also consider options in which the Town enters a partnership with the developer to own/maintain areas like parking, landscaping, commons, etc., where the developer pays a subscription fee to the Town.

PROPOSAL REQUIREMENTS

Evaluation Criteria

In responding to the RFP, Offerors shall organize their submission in such a way as to follow the general evaluation criteria listed below. The percentages indicate relative order of importance and weighting in scoring. Information included within the proposal may be used to evaluate Offerors as part of any criteria regardless of where that information is found within the proposal. Information obtained from the proposal and from any other relevant source may be used in the evaluation and selection process.

Executive Summary (5)

- a. Identify the full company name, mailing address, telephone number, and email address for the person (preferably the designated project manager) who will serve as the firm's primary contact person for the proposal, and provide company organization information.
- b. Provide a brief introduction of the company.

Intent and Vision Narrative (30)

Provide a Narrative Statement of intent and development proposal based off the Town's vision for the 4.4-acre site addressing the following:

- a. Expected land use and end-users
 - 1. Note any anticipated partnerships or end-users whom Offeror may intend to include in the development. Specific letters of intent or support from such end-users are encouraged and will be weighted in the scoring and may be included in the appendix. Offerors are encouraged to exercise discretion when including letters of support; the Town values quality over quantity.
- b. Expected square feet of development (including building SF and site SF)
- c. If the proposed development does not require the entire 4.4-acre site, indicate the desired location of the development within the property, and a secondary alternative location if applicable.
- d. How the proposed plan supports the Town's vision for the property.
- e. How the proposed plan may generate revenue for the Town of Thatcher.
- f. Projected phasing of:
 - 1. Infrastructure
 - 2. Vertical development
 - 3. Site development
- g. Explanation of Offerors motivation behind the development.
- h. Description of Offerors vision of the development.
- i. Identification of potential challenges to the proposed development; for example, neighboring businesses and residents concerns, or financing, etc. Also, propose viable mitigation plans to these challenges.
- j. Proposers to attach a Conceptual Site Plan.

Finance Plan (15)

How does Offeror propose to fund the project? Include the following:

- a. Proposed type of funding source(s). Offeror shall propose a clear strategy to fund all proposed development costs.
- b. Sources of and costs of debt and equity, including specific details on all anticipated funding sources as well as the types and amounts of equity, financing, grants and other funding sources for the proposed development.
- c. Anticipated funding contingencies
- d. Provide existing finance/equity relationships
 1. Documentation of other projects for which the Offeror has successfully worked with the proposed funding sources.
 2. Letters/written evidence of funding commitments are encouraged and will be weighted in the scoring.
 3. If tax credits are part of the proposed financing plan, evidence of Offeror's successful tax credits proposals.

Proposed Term Sheet (30)

Provide a Proposed Term Sheet that addresses each of the following items:

- a. Purchase price, including breakdown of purchase price by phase if phasing is proposed.
- b. Phasing/Takedown Schedule (if/as applicable). An Offeror's commitment to a single closing on the entire parcel is encouraged and will be weighted in the scoring.
- c. Proposed earnest money, including amount(s) and schedule for deposit, and proposed timing of non-refundable status.
- d. Closing date(s). Proposed terms for potential extension of closing dates, including amounts of additional earnest money to be deposited and additional consideration to be paid for extension of closing date(s).
- e. Offeror's agreement to pay all escrow fees and costs, recording fees, title insurance costs, and due diligence costs, including environmental assessment(s) if desired by the Offeror. The Town will provide the required boundary survey.
- f. Offeror's acknowledgement that it shall acquire the real property "as-is, where-is", with all defects and liabilities, latent or apparent, subject only to reasonable representations and warranties of the Town. If Offeror requires any specific representations and warranties from the Town, Offeror shall specify and provide the proposed verbiage of all such representations and warranties.
- g. Offeror's acknowledgement that it shall be solely responsible for the fees and costs of any broker employed by Offeror, and that the Town shall not pay any brokerage fees or costs.
- h. Offeror's acknowledgement that it shall provide a customary agreement to indemnify, defend, and hold harmless the Town and its officers, officials, agents, and employees from claims arising from the actions or negligence of Offeror or any of its owners, officers, directors, agents, employees or subcontractors, and provide customary insurance coverage in support of the same.

Proposed Timeline (10)

Provide a comprehensive schedule of the major planning and development milestones for the initial five years following Offeror's purchase of the property, including site acquisition, planning and design, entitlements, plan review, permits, construction, occupancy and/or lease-up. Development should be completed within the shortest time frame possible with as little adverse impact as possible to residents and nearby businesses during the construction stage(s) of the development.

General Questions (10)

Answer each question expressly. Do not incorporate answer into previous narratives – repeat as necessary.

- a. Given that a project of this magnitude takes considerable time, how is your team structured and prepared to take on a project of this duration?
- b. Please submit a list of development team members who are not in-house that you anticipate working with on this project (architects, engineers, contractors, attorneys, etc.).
- c. How does the Offeror expect to generate revenue on development of the site?
- d. Outline what role(s) Offeror would expect to play on this project, i.e.,:
 1. Master Planner
 2. Owner
 3. Site Developer
 4. Vertical Developer
 5. Broker
 6. Other
- e. How would Offeror propose to address maintenance and programming of public open and event spaces within the project?

Submittal Instructions

RFP responses shall be succinct and submitted in the form of:

- a. Two hard copies, each clearly marked 'original' in 8.5" x 11" form. The RFP response is limited to fifteen pages. Emphasis should be on completeness and clarity of content. Each response should reference the criteria section being addressed. Pages should be numbered consecutively. The following information is not included in the page limit:
 1. Cover letter on company letterhead, maximum of one (1) page
 2. Support or commitments from proposed tenants and/or end users
 3. Banking and/or financial commitments include no more than three (3) total and attach as an appendix
 4. Proposed term sheet attach as an appendix
- b. One electronic copy on USB flash drive as a PDF document that is PC readable and not password protected. The electronic copy will be one single document for main submittal.
 1. Company marketing materials should not be included. Offerors must ensure that it is an accurate duplicate of the hard copy original submission.

Note: Failure to respond to all requested information may be considered non-responsive and may disqualify a firm from further consideration.

If Offeror's Proposal is Shortlisted, a Mandatory Interview will be Scheduled

Town's Vision of Property

The Red Lamp property is located in the heart of Thatcher within walking distance of Eastern Arizona College. The Town envisions a lively urban activity development incorporating mixed uses which encourage a "live, work, play" lifestyle. Consolidation of retail, restaurants, office space, and residences are desired to create a highly accessible neighborhood setting along Highway 70 for Town residents, students, and visitors alike.

The Town is open to wide variety of potential development projects. Offeror's are encouraged to propose a project even though it may not be something the Town has previously considered for the sight. The Town purchased the property with a 2-fold mission in mind. 1) To clean-up a blighted parcel in Town. 2) To optimize the property's potential for revenue, aesthetics, and benefit to the Town.

While the buildout of the property may involve multiple developers, cohesion and harmony within the property are strongly desired. Attractive and unique structures are encouraged while maintaining an overall theme within the site. For an example of the type of development desired, please see the Red Lamp Plaza Conceptual Site Plan for graphics and more details of the Town's vision.

Town's Reservation of Rights

The Town reserves the right to take any course of action the Town deems appropriate at the Town's sole and absolute discretion, which may include:

- a. Waiving any defects or informalities in any proposal or proposing procedure;
- b. Accepting or rejecting any or all proposals or any part of any or all proposals;
- c. Canceling the RFP in part or in its entirety;
- d. Reissuing the RFP with or without modification;
- e. Extending the deadline for proposals; and/or
- f. Requesting additional information from any or all Offerors.
- g. Making such additional investigations as it deems necessary to establish the competence and financial stability of any Offeror submitting a proposal.

Right to Disqualify

The Town reserves the right to disqualify any Offeror who fails to provide information or data requested herein or who provides materially inaccurate or misleading information or data. The Town reserves the right to disqualify any Offeror on the basis of any real or apparent conflict of interest that is disclosed by the proposals submitted or any other data available to the Town. This disqualification is at the sole discretion of the Town. By submission of a Proposal hereunder, the Offeror waives any right to object now or at any future time, before any body or agency, including but not limited to, the Town Council of the Town, or any court, as to the exercise by the Town of such right to disqualify or as to any disqualification by reason of real or apparent conflict of interest determined by the Town.

Selection Process and Timelines

- a. The Town will appoint an evaluation panel to evaluate each proposal.
- b. The evaluation panel will interview the shortlisted Offerors.
- c. The evaluation panel may then recommend any number of proposals to Town Council.
- d. Sale of the property will require Town Council approval of the proposal, and approval of a Development and Disposition Agreement that includes a Purchase Agreement.
- e. The following tentative schedule has been established for this solicitation, the Town reserves the right to change or modify the following schedule at its sole and absolute discretion:

RFP document released	November 18, 2021
RFP submittals due to Town	January 27, 2022
Interview/Charrette/Working Session with evaluation panel	February 9, 2022
Recommendation of proposal to Town Council	February 21, 2022
Negotiation of Development and Disposition Agreement including Purchase Agreement	Feb. 28 – Mar. 16
Final agreement presented to Town Council	March 21, 2022