



**City of Winnipeg
Planning, Property and Development Department**

**Invitation for Expressions of Interest for
Development Proposals under the Vacant and
Derelict Buildings By-Law 35/2004**

**For Property Located at 281 Selkirk Avenue
Winnipeg, Manitoba**

EOI # 770-2008

EOI 770-2008
REDEVELOPMENT OF 281 Selkirk Avenue

1. INTRODUCTION

- 1.1 The City of Winnipeg (City) invites Expressions of Interest (EOI) from Proponents, with respect to the acquisition and redevelopment of the commercial property located at 281 Selkirk Avenue (the "Project").
- 1.2 **Proponents are advised that the Project is conditional on the City being issued the Certificate of Title for the subject property.**
- 1.3 The property is being offered with a requirement that it be redeveloped immediately upon possession, according to the terms and conditions outlined in this EOI.
- 1.4 This information package provides a brief overview of the property and the associated terms of reference for this EOI.

2. LOCATION

- 2.1 The subject property is located at 281 Selkirk Avenue in the William Whyte neighbourhood, and falls within the boundaries of the Selkirk Avenue Business Improvement Zone.
- 2.2 The subject property may be further described as follows:
- (a) The subject property is located at 281 Selkirk Avenue in the William Whyte neighbourhood, legally described as LOT 295 PLAN 56 WLTO EXC NLY 8 FEET IN RL 36 PARISH OF ST JOHN, and WLY 25.25 FEET LOT 296 PLAN 56 WLTO EXC NLY 8 FEET IN RL 36 PARISH OF ST JOHN.
 - (b) The property contains a commercial 3 storey building with two sections and a total of approximately 11,841 square feet, zoned C-2. The first section has a ground floor area of 2,547 square feet, is of masonry wall construction, built in 1914, and contains a 2,547 basement. The second section has a ground floor area of 1,400 square feet, is wood frame construction, built in 1937 and contains a 1,400 square foot basement.
 - (c) The building is situated on a 6,838 square foot lot measuring approximately 64 feet wide by 108 feet deep.
 - (d) The property is located within the boundaries of the Selkirk Avenue Business Improvement Zone.
- 2.2.1 Please note that all measurements are approximate, and that all property aspects described herein are subject to verification by the proponent.

3. BACKGROUND

- 3.1 The William Whyte neighbourhood is in the North End of Winnipeg, in the Inner City market region. The neighbourhood is bounded on the north by Redwood Avenue, on the east by Main Street, on the south by Selkirk Avenue, and on the west by Arlington Street. William Whyte is designated as a Major Improvement Area in Plan Winnipeg 2020 Vision, and is further designated as a Housing Improvement Zone by City Council.
- 3.2 In 2004, City Council approved the Vacant and Derelict Buildings By-law (By-law 35/2004), which grants authority for the City to take possession of properties for which violations are outstanding and for which a Derelict Building Certificate has been issued. A requirement of issuance of the Derelict Building Certificate is that a satisfactory redevelopment plan is established. Application for a Derelict Building Certificate is being submitted respecting 281 Selkirk Avenue, and the intent of this EOI is to produce a satisfactory redevelopment plan to satisfy that process.

4. SITE INVESTIGATION

- 4.1 Proponents are advised that a site meeting will be scheduled during the week of October 20, 2008.
- 4.2 Proponents must register to attend the site meeting by contacting the Contract Administrator, identified in 17 before October 20, 2008.
- 4.3 Proponents shall not be entitled to rely on any information or interpretation received at the site meeting unless that information or interpretation is provided by the Contract Administrator in writing.

5. SUBMISSION REQUIREMENTS

- 5.1 EOI submissions will be necessary in two phases.

EOI 770-2008
REDEVELOPMENT OF 281 Selkirk Avenue

- 5.1.1 Phase 1 Proposal Submissions should be in the form of a brief concept paper that includes the following information:
- (a) Name and description of Proponent;
 - (b) What specifically is being offered for the property;
 - (c) General description of redevelopment plan for the property; and
 - (d) Description of how the property will be used upon completion of redevelopment.
- 5.1.2 Phase 2 will begin with an evaluation of Phase 1 submissions, in accordance with 6 and 7, below, and successful proponents may be asked to provide additional information. Only those proponents who are successful in Phase 1 will be invited to submit more detailed information. This additional information may include the following:
- (a) A description of the proposed team members and team organizational structure, including principal-in-charge;
 - (b) Information on the Proponent's team and its members' experience and expertise, including the level of design and construction experience and expertise in delivering projects of this nature and magnitude;
 - (c) A letter from a financial institution demonstrating that the Proponent has sufficient financial backing to bring the Project to fruition;
 - (d) A description of the Project including, in particular, all assumptions related to the existing structure;
 - (e) An estimate of project capital costs and all associated costs;
 - (f) Intended use of the completed project (e.g. residential homeownership, residential rental, commercial retail, commercial office, etc.); and
 - (g) The name and contact information (address, phone, fax, and email) of the individual who will act as the Proponent's principal contact throughout the EOI process.
- 5.1.3 The Project should achieve an operational status within one year of acquisition of the property. The Proponent will provide an outline of the critical phases and deadlines to deliver such a project to an operational status by the specified date.
- 5.2 The Proponent shall submit one (1) copy of the EOI Proposal in 8.5" x 11" format with the Proponent's name and contact information clearly visible on the front cover of the Proposal.
- 5.3 The City may require the Proponent to clarify any portion of its EOI Proposal. Responses to such requests shall be in writing and shall become part of the EOI Proposal. Failure to respond in writing within three (3) Business Days or such longer time period specified by the EOI Evaluation Committee may be cause for rejection.
- 6. EVALUATION OF EOI PROPOSALS**
- 6.1 EOI Proposals will be evaluated on the basis of compliance with Plan Winnipeg; strength of overall plan; timing of construction; quality of product, including internal and external components; targeted market of completed property; and according to the criteria listed in Schedule "B"– EOI Evaluation Parameters.
- 6.2 The EOI Proposals will be reviewed and evaluated by an Evaluation Committee comprised of two members of the Planning and Land Use Division (Planning, Property and Development Department [PP&D]), one member of the Housing Development Branch (PP&D), one member of the Housing/Existing Buildings Branch (PP&D), one member of the Fire Prevention Branch (Fire Paramedic Service Department), and one member of the Community Resource Coordination Services Branch (Community Services Department). Representatives of the Legal Services Division (Internal Services Department) and of the Materials Management Division (Corporate Finance Department) will provide advice to the Evaluation Committee as needed.
- 6.3 The Evaluation Committee may, in addition to the evaluation criteria described above, apply other evaluation criteria, which the Evaluation Committee determines are relevant during the evaluation process. The Evaluation Committee will apply the same criteria equally to the evaluation of all EOI Proposals.
- 6.4 Right to Reject. The City reserves the right to reject any or all EOI Proposals.
- 6.5 Notwithstanding Clause 5, where the Proponent fails to submit the required information, the Proposal will be evaluated with a zero (0) rating applied to that category or item.

EOI 770-2008
REDEVELOPMENT OF 281 Selkirk Avenue

7. EVALUATION CRITERIA

7.1 EOI Proposals will be evaluated on the basis of broad financial, operational and strategic merit to the City, and according to the following criteria:

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| (a) Likelihood of completion,
Includes proponent qualifications, expertise, experience, and access to resources and financing; | (30%) | ← - - - - Formatted: Right: 0.75" |
| (b) Timing of proposed construction
Preference given to projects that can begin immediately upon acquisition, as compared to proposals that project delays for requirements such as rezoning; | (25%) | ← - - - - Formatted: Right: 0.75" |
| (c) Integration with surrounding properties and neighbourhood
Conformance with Zoning By-law, Plan Winnipeg, Secondary Plans, Neighbourhood Plans; architectural plan or design; and proposed type of work (rehabilitation, demolition and redevelopment, etc.); | (25%) | ← - - - - Formatted: Right: 0.75" |
| (d) Costs and Benefits to City
Consideration given both to financial costs (requests for tax relief, etc.) and benefits (potential property taxes), and to non-monetary costs and benefits (development of affordable housing, housing targeted to specific target populations, inclusion of features beneficial to the community, etc.) | (15%) | ← - - - - Formatted: Right: 0.75" |
| (e) Type of Proponent
For-profit or non-profit corporation, or unincorporated proponent; | (5%) | |

8. ANTICIPATED PROCESS

Phase I – EOI Evaluation

- 8.1 The Proponents are advised to present their best Proposal. The City will only negotiate with a short list of the Proponents submitting, in the City's opinion, the most advantageous Proposals.
- 8.2 The City will review, and clarify as required, all EOI Submissions received. If the City deems that none of the EOI's submitted are acceptable, the EOI process may be terminated and the Proponents so notified.
- 8.3 After completion of the Phase I evaluation of all EOI's, the City will short list the Proposals that are considered to have the most merit and benefits for the City and may proceed to Phase II.

Phase II – Detailed Proposal Solicitation and Evaluation

- 8.4 The City may invite the short listed Proponents to submit additional detail for their Proposals, if required.
- 8.5 If the City determines that none of the short listed Proposals are acceptable, the EOI process may be terminated and the Proponents will be so notified.
- 8.6 The evaluation of the short listed Proposals may proceed to Phase III with the City contacting those short listed Proponents and entering into negotiations with Proponents having Proposals that are considered to have the most merit and benefits for the City.

Phase III – Negotiations

- 8.7 The City reserves the right to further negotiate details of the Proposals from the short listed Proponents in the Phase III negotiations. The City may enter into negotiations with one or more Proponents without being obligated to offer the same opportunity to other Proponents. Negotiations may be concurrent and will involve each Proponent individually. The City shall incur no liability to any Proponent as a result of such negotiations.
- 8.8 If the parties cannot agree to a final resolution, the City may terminate the EOI process and so notify the Proponents. The City shall have no obligation to enter into a final agreement with a Proponent.
- 8.9 Upon completion of a detailed evaluation, the Evaluation Committee will prepare and submit a report to the Standing Policy Committee on Property and Development with a recommendation to proceed with the Project pursuant to this EOI, and identifying a recommended Proponent. In the event that the successful Proponent chooses not to proceed, the Evaluation Committee will enter into negotiations with the next qualified Proponent, or will re-advertise the EOI if necessary.
- 8.10 The successful Proponent, as approved by the Standing Policy Committee on Property and Development, will enter into a Purchase Sale Agreement for the property, where the City may be entitled to become owner of the property, pursuant to By-Law No. 35/2004.

EOI 770-2008
REDEVELOPMENT OF 281 Selkirk Avenue

- 8.11 Notwithstanding any other clause of the EOI, the City of Winnipeg may, in its sole discretion, at any time by written notice, terminate the EOI or, after the selection of the successful Proponent, elect not to proceed and by written notice terminate the Project procurement process. After termination as described above, the City will be under no obligation to any Proponent. In any such event, the City may at its further discretion, decide not to proceed with the Project or enter into negotiations with other parties.

9. SUBMISSION OF EOI PROPOSALS

- 9.1 Further to 5.2, interested parties shall submit one (1) unbound copy of their Proposal enclosed and sealed in an envelope clearly marked "EOI No. ^ and the Proponent's name and address to:
The City of Winnipeg
Corporate Finance Department
Materials Management Division
185 King Street, Main Floor
Winnipeg, MB R3B 1J1
- 9.2 The deadline for sealed EOI Submissions is **4:00 PM, Winnipeg Time, November 7, 2008.**
- 9.3 EOI submissions determined by the Manager of Materials to have been received later than the EOI deadline will not be accepted and returned upon request.
- 9.4 The Contract Administrator or the Manager of Materials may extend the submission deadline by issuing an Addendum at any time prior to the Submission Deadline in accordance with Clause 13.
- 9.5 EOI's submitted by facsimile transmission (fax) or internet electronic mail (e-mail) will not be accepted.
- 9.6 EOI's will not be opened publicly.

GENERAL CONDITIONS

10. NO CONTRACT

- 10.1 **This is an inquiry only. By submitting an EOI Proposal and participating in the process as outlined in this EOI, Proponents expressly agree that no contract of any kind is formed under, or arises from this EOI and that no legal obligations will arise.**

11. PROPONENT'S COSTS AND EXPENSES

- 11.1 Proponents are solely responsible for their own costs and expenses in preparing and submitting an EOI Proposal and participating in the request for EOI including the provision of any additional information or attendance at meetings.

12. OWNERSHIP OF PROPOSALS

- 12.1 The City will be entitled to retain all Proposals in response to this request for EOI without pay or compensation. However, the site plan if provided, floor plan, exterior perspective, and other information provided as part of the design concept will be used for evaluation purposes only. Proponents are advised that the City is subject to The Freedom of Information and Protection of Privacy Act (Manitoba) and that any documents or other records provided to the City may, by law, be subject to disclosure.

13. RIGHT TO ALTER

- 13.1 The City of Winnipeg reserves the right to at any time prior to the Proposal deadline, issue Addenda correcting errors, discrepancies or omissions, alter any of the conditions and criteria outlined in this EOI, or clarify the meaning or intent of any of the provisions therein, by posting Addenda on Bid Opportunity page at the City of Winnipeg, Corporate Finance, Material Management Branch internet website at <http://www.winnipeg.ca/matmgt/bidopp.asp>.
- 13.2 The Proponent is responsible for ensuring that it has received all Addenda and is advised to check the Materials Management Branch internet site for Addenda regularly and shortly before the submission deadline.

14. GOOD FAITH DECLARATION

- 14.1 The Proponent declares that, in submitting its EOI Proposal, it does so in good faith and that to the best of its knowledge no member of Council or any officer or employee of the

EOI 770-2008
REDEVELOPMENT OF 281 Selkirk Avenue

City would have any pecuniary interest, direct or indirect, should the Proponent be awarded a contract for the Project.

15. CONFIDENTIALITY

- 15.1 Information provided to a Proponent by the City, or acquired by way of further enquiries or through investigation, **is strictly confidential**. Such information shall not be used or disclosed by the Proponent in any way without the prior written authorization of the City.
- 15.2 The Proponent shall **not** make any statement of fact or opinion regarding any aspect of the EOI to the media or to any member of the public without the prior written authorization of the Director of the Planning, Property and Development Department.
- 15.3 Disclosure of the details of the successful Proposal by a Proponent is the sole responsibility of the Council of the City of Winnipeg, or its Designated Authority. The City may be obligated to disclose the name of the successful Proponent and amount of City funding after approval by the Standing Policy Committee on Property and Development and/or the execution of the Funding and Public Access Agreements.

16. COMPLIANCE WITH LEGISLATION

- 16.1 Proponents must respect all legislation governing their industry of activity and those of the parties to their business offering. Applicable legislation would include, but is not limited to, current municipal, provincial, federal laws governing construction, including zoning, permit and licensing requirements applicable to the Project.

17. CONTRACT ADMINISTRATOR

- 17.1 All enquiries should be directed to:
- Contract Administrator
Dave Dessens
Housing Development Coordinator
Planning, Property and Development Department
361 Hargrave Street
Winnipeg, Manitoba
R3B 2K2
Tel: (204) 940-3074
Fax: (204) 940-3077
Email: ddessens@winnipeg.ca

18. ENQUIRIES

- 18.1 All enquiries shall be directed to the Contract Administrator as identified in Clause 17.1.
- 18.2 If the Proponent finds errors, discrepancies or omissions in the proposal, or is unsure of the meaning or intent of any provision therein, the Proponent shall promptly notify the Contract Administrator of the error, discrepancy or omission at least five (5) Business Days prior to the Submission Deadline.
- 18.3 If the Proponent is unsure of the meaning or intent of any provision therein, the Proponent should request clarification as to the meaning or intent prior to the Submission Deadline.
- 18.4 Responses to enquiries which, in the sole judgment of the Contract Administrator, require a correction to or a clarification of the Request for Proposal will be provided by the Contract Administrator to all Proponents by issuing an addendum.
- 18.5 Responses to enquiries which, in the sole judgment of the Contract Administrator, do not require a correction to or a clarification of the Request for Proposal will be provided by the Contract Administrator only to the Proponent who made the enquiry.
- 18.6 The Proponent shall not be entitled to rely on any response or interpretation received pursuant to Clause 18.1 unless that response or interpretation is provided by the Contract Administrator in writing.