



THE CITY OF WINNIPEG

REQUEST FOR PROPOSAL

RFP NO. 670-2018

**REQUEST FOR PROPOSAL TO PURCHASE A PORTION OF THE CITY-OWNED
PROPERTY LOCATED AT 1121 WABASHA STREET, COMMONLY KNOWN AS
ROLAND MICHENER ARENA**

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PART B - BACKGROUND AND GENERAL INFORMATION

B1. CONTRACT TITLE

- B1.1 REQUEST FOR PROPOSAL TO PURCHASE A PORTION OF THE CITY-OWNED PROPERTY LOCATED AT 1121 WABASHA STREET, COMMONLY KNOWN AS ROLAND MICHENER ARENA

B2. SUBMISSION DEADLINE

- B2.1 The Submission Deadline is 4:00 p.m. Winnipeg time, October 31, 2018 and in accordance with the details provided in PART D -
- B2.2 Proposals determined by the Manager of Materials to have been received later than the Submission Deadline will not be accepted and will be returned upon request.
- B2.3 The Contract Administrator or the Manager of Materials may extend the Submission Deadline by issuing an addendum at any time prior to the time and date specified in B2.1.

B3. INTRODUCTION

- B3.1 The City of Winnipeg (the "City") invites Proposals from Proponents (each a "Proponent"), with respect to the sale of a portion of the City property located at 1121 Wabasha Street and shown and identified as "SUBJECT CITY PROPERTY, Area: 6822 m² (73,431 ft²)" on Misc. Plan 14483/5 attached as Schedule "A" (herein called the "Subject City Property")
- B3.2 Notwithstanding anything contained herein, the Subject City Property will be sold on an "as is, where is" basis. The data contained herein is considered to be approximate information only and is not intended to fully describe the Subject City Property. Any Proponent or interested party is required to satisfy themselves as to the suitability of the Subject City Property for their purposes and conduct their own due diligence. The City provides no representations or warranties related to the Subject City Property of any kind whatsoever.

B4. LOCATION

- B4.1 The Subject City Property is located on the west side of Wabasha Street between Kildare Avenue East and Horton Avenue East, and shown outlined in a dashed line and identified as "SUBJECT CITY PROPERTY, Area: 6822 m² (73,431 ft²)" on Misc. Plan 14483/5 attached as Schedule "A".
- B4.2 The Subject City Property is currently connected to the Transcona Centennial Pool. The Proponent at its own expense shall ensure that its proposed use of the Subject City Property does not adversely affect the remaining City property.

B5. COUNCIL DIRECTIVE

- B5.1 On February 27, 2013, Council declared the Subject City Property located at 1121 Wabasha Street surplus.

B6. PROPERTY INFORMATION

- B6.1 The Subject City Property is part of a larger landholding owned by the City, known as the Transcona Stadium Complex
- B6.2 The Subject City Property, including the Building, is being offered vacant with possession to be arranged.
- B6.3 Property details are as follows:

- (a) Site Size: 73,431 +/- sq. ft.
- (b) Current Zoning: PR3 (Conditional Council approval for RMF-L).
- (c) Assessment: Part of Roll 09001886000.
- (d) Legal Description: Portion of Lot 1, Plan 14148 WLTO IN SW 1/4 9-11-4EPM.
- (e) Certificate of Title: Part of 1911108/1.

B6.4 The Proponent will accept title to the Property subject to all exceptions, reservations and encumbrances expressed or implied, including without limitation:

B6.5 Hydro Easement: as per a requirement of DASZ 31/2013, a 3.1m Hydro easement will be required on the Subject City Property;

B7. BUILDING INFORMATION

B7.1 A building is located on the portion of the Subject City Property that is being offered for sale herein that is commonly known as the "Roland Michener Arena" (see floor plans attached as Schedule "B"). The one storey masonry building with a basement was constructed in 1960 (herein called the "Building"). The Building consists of:

- (a) Main floor 43,109+/- sq. ft.
- (b) Basement: 6,354+/- sq. ft.
- (c) Total 49,463+/- sq. ft.

B7.2 The sale of the Building does not include the following items currently located within the Building. The City and the Proponent will be required to make arrangements to remove the following items on or before the possession date, at the City's cost:

- (a) Ice plant condenser;
- (b) Tempered rink glass ;
- (c) Guarded status panels; and
- (d) The following items are connected to the Building's security/fire system and cannot be removed until such system is disabled on the date of possession:
 - (i) Simplex 4100ES FAS Panel (Main Entrance);
 - (ii) Simplex Beam Detector and reflector (main lobby area);
 - (iii) Visual signal device (inside garage);
 - (iv) gas detection equipment (c.o. monitors);
 - (v) Metasys controller;
 - (vi) FAS Panel; and
 - (vii) Best locksets and cores.

B7.3 Proponents are advised that they are required to demolish the basement of the Building located at the proposed southern property line, at the Proponent's sole cost and expense, regardless of whether their proposal is to repurpose the Building. This work will include, without limitation, installing (making good) the connection between the existing roof deck over the Garage Storage Building (which the City will be retaining) and the top of the eight inch concrete block wall. Once this is done, the structure north of the common wall (wall between the gym and the garage) could be removed.

B7.4 If the Proponent's proposal involves the demolition of the Building, then the cost of demolition and remediation, including any required removal of hazardous materials, will be at the Proponent's sole cost and expense.

B7.5 The Proponent will be required to retain the services of a qualified engineer to ensure that upon the demolition or partial demolition as described herein that all remaining buildings are structurally sound.

B7.6 The Building has been decommissioned as an ice arena. The chemical used for the chilling units has been removed and replaced with nitrogen for storage.

B7.7 The Proponent is not permitted to use the Building for sheets of ice or as an ice area. The City reserves the right to register a restrictive covenant in this regard. The Proponent acknowledges and agrees that this restrictive covenant shall bind the property and run with the land.

B8. OPEN HOUSE

B8.1 Two Open Houses will be held to view the property on the following dates:

- (a) August 14, 2018, between 11a.m. and 12 noon; and
- (b) September 13, 2018 between 11a.m. and 12 noon.

B9. ENQUIRIES

B9.1 All enquiries shall be directed to the Contact Person identified in D5

B10. ERRORS AND DISCREPANCIES

B10.1 If the Proponent finds errors, discrepancies or omissions in the Request for Proposal, or is unsure of the meaning or intent of any provision therein, the Proponent shall promptly notify the Contact Person of the error, discrepancy or omission at least five (5) Business Days prior to the submission deadline.

B10.2 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.

B10.3 Responses to enquiries which, in the sole judgment of the Contact Person, require a correction to or a clarification of the Request for Proposal will be provided by the Contact Person to all Proponents by issuing an addendum.

B10.4 Responses to enquiries which, in the sole judgment of the Contact Person, do not require a correction to or a clarification of the Request for Proposal will be provided by the Contact Person only to the Proponent who made the enquiry.

B10.5 The Proponent shall not be entitled to rely on any response or interpretation unless that response or interpretation is provided by the Contact Person in writing.

B11. DISCLOSURE

B11.1 Various Persons provided information or services with respect to this Work. In the City's opinion, this relationship or association does not create a conflict of interest because of this full disclosure. Where applicable, additional material available as a result of contact with these Persons is listed below.

B11.2 The Persons are:

- (a) N/A

B12. DISCLOSURE OF KNOWN INFORMATION ABOUT THE PROPERTY OR THE BUILDING

B12.1 Environmental Assessments

- (a) The City has not conducted any environmental investigations or environmental site assessments for the potential presence of contaminants, including without limitation soil contaminants, on the Subject City Property.

B12.2 Asbestos Assessments

- (a) The Building located on the Subject City Property contains various forms of asbestos throughout. A copy of the Asbestos Inventory Control inspection completed by the City of Winnipeg in 2017 and is listed as Appendix C: Asbestos Inventory.
- (b) The Building is offered on an “as-is, where is” basis, and it is the responsibility of the Proponent to conduct its own due diligence in this regard.

PART C - DEVELOPMENT PARAMETERS

C1. PLANNING & LAND USE

- C1.1 According to OurWinnipeg, the Property is located in an Area of Stability. Key Direction of OurWinnipeg and Complete Communities pertaining to Areas of Stability:
- (a) Enhance the quality, diversity, completeness and sustainability of stable neighbourhoods and expand housing options for Winnipeg's changing population.
- C1.2 Select policies of Complete Communities and Recent Communities pertaining to Areas of Stability:
- (a) Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complementary to the existing scale, character and built form;
 - (b) Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments;
 - (c) Promote a quality public realm with a high level of accessibility to community services and amenities and opportunities for gathering and social interaction;
 - (d) Encourage intensification to occur at centres and along corridors;
 - (e) Focus housing growth to areas that have municipal service capacity to support intensification, in addition to commercial and recreational amenities;
 - (f) Support Complete Communities by ensuring diverse and high quality housing stock;
 - (g) In order to meet the full life-cycle of housing needs within the community, promote a mix of housing type and tenure, such as duplexes, low rise apartments, secondary suites, semi-detached homes, townhouses;
 - (h) Support a mix of commercial services and employment uses that serve the local community; and
 - (i) Support the subdivision of a parcel of land into two or more lots when it is done in a context sensitive manner.
- C1.3 For information regarding land use, please contact Glen Doney, Planner at 204-986-2688.

C2. ZONING

- C2.1 The City-owned property is currently zoned "PR3"; however, the City initiated and received Council approval for a sub-division and re-zoning to RMF-L. Council approved terms of the sub-division and re-zoning on July 17, 2013. A copy of the Council Minutes is attached hereto as Schedule "D" (herein referred to DASZ 31/2013).
- C2.2 If the Proponent wants to proceed with a RMF-L development, then the Proponent will be required, at its sole cost, to comply with the conditions of DASZ 31/2013 as set out in Schedule "D", including without limitation:
- (a) The requirement to enter into a Zoning Agreement and a Servicing Agreement;
 - (b) Finalizing the plan of subdivision that the City has initiated for the Subject City Property; and
 - (c) Complying with all terms of DASZ 31/2013 by July 31, 2020 or applying for and receiving an extension of time from Council.
- C2.3 The Proponent will be required, at its sole cost, to apply for and receive Council approval in the event that its proposed development for the Subject City Property is not a defined use within the RMF-L zoning category.
- C2.4 The Proponent is advised that zoning variances may be required depending on the Proponent's intended use of the Subject City Property.

- C2.5 Any interested party should contact the Zoning and Permits Branch at 204-986-5140 to ensure that their intended development falls within the current zoning category. Any re-zoning, conditional use or variance will be at the Proponent's sole cost and expense. The Property is being sold on an "as is, where is" basis.

C3. SERVICES

- C3.1 The information supplied below is to be considered as a guideline. It is the responsibility of the Proponent to satisfy itself that sufficient services are available to utilize the City-owned property for their intended use.

C3.2 Watermain & Wastewater Sewer

- (a) The City advises that there are limitations with wastewater and water capacities for a RFM-L development on the Subject City Property. Those limitations are as follows:
- (i) For water servicing, available fire flow is limited so water main system upgrades will be required if the proposed development is not constructed in a manner that will reduce water servicing requirements to a level that can be delivered by the existing Building system. The City advises that the required construction is beyond that which is required in the Building Code;
 - (ii) For wastewater sewer servicing, the Proponent is required to submit a comprehensive servicing report, prepared by a qualified municipal engineer, for review and approval by the Director of the City's Water and Waste Department. The report is required to outline the wastewater system upsizing and extension that will be required to adequately service the RFM-L development; and
 - (iii) The Proponent will need to enter into a servicing agreement with the City to construct, at the Proponent's sole cost, any necessary water or wastewater system upgrades to the satisfaction of the Director of the City's Water and Waste Department.
- (b) Any proposed development outside of the RFM-L Zoning category may have different servicing requirements. The Proponent is responsible, at its sole cost, to satisfy itself of the potential servicing requirements for its intended development and then be responsible to implement the servicing requirements to the satisfaction of the Director of the City's Water and Waste Department.
- (c) For detailed information on specific servicing requirements contact: Mr. Marek Gajda, Water and Waste Department at 204-986-7626.

C3.3 Electrical and Gas

- (a) The mechanical services of the garage building (gas/sewer/water) are connected to existing Transcona Centennial Pool.
- (b) The electrical service of the garage building is connected to the Building on the Subject City Property.
- (c) The Proponent, at its sole cost, is required to retain a qualified electrician to conduct an electrical review to ensure that the following electrical requirements are satisfied:
- (i) The electrical service for the neighbouring baseball diamond is located in the basement of the Building. This electrical feed will need to be relocated into the garage building prior to the date of possession;
 - (ii) Terminate the electrical feed from the garage building to the Building; and
 - (iii) Determine how the electrical of the Building will function on its own should elect to repurpose the Building.
- (d) For additional detailed information on specific servicing requirements contact Manitoba Hydro.

PART D - INSTRUCTIONS TO PROPONENTS, GENERAL CONDITIONS AND EVALUATION OF PROPOSALS

MATERIAL INFORMATION TO BE SUPPLIED BY PROPONENTS

D1. PROPOSAL SUBMISSION INFORMATION

D1.1 The following shall be required:

- (a) Form A: Proposal;
- (b) The name of the organization and names of all Principals associated with the proposal;
- (c) A list and description of successful projects carried out by the Proponent, if any;
- (d) Description of key staff/team member roles to be involved in the Proponent's project, their associated professional qualifications, and prior related experience;
- (e) Contact (s) concerning previous projects;
- (f) Financial information about the Proponent;
- (g) Any other information which the Proponent considers pertinent to its proposal; and

D1.2 Details of the Proposed Purchase of the Property shall include:

- (a) The offering price (sale), financial terms, conditions, if any, related to the development of the Subject City Property, a detailed plan outlining the proposed development and / or business operation, an outline of the development timing, and any other relevant terms or assumptions.

D2. GENERAL CONDITIONS OF RFP

D2.1 Sealed Proposals

- (a) Sealed Proposals marked Roland Michener Building RFP # 670-2018 should be addressed and delivered to:

Materials Management
City of Winnipeg
Main Floor, 185 King Street
Winnipeg, Manitoba

- (b) Proposals submitted by facsimile transmission (fax) or internet electronic mail (e-mail) will not be accepted.
- (c) Proposals will not be opened publicly.
- (d) The City may at any time prior to the submission deadline, issue addenda correcting errors, discrepancies or omissions in the RFP, or clarifying the meaning or intent of any provisions therein.
- (e) Addenda will be available on the Bid Opportunity page at the City of Winnipeg, Corporate Finance, Materials Management Division website at:

<http://www.Winnipeg.ca/matmgt/bidopp.asp>

- (f) The Proponent is responsible for ensuring that it has received all addenda and is advised to check the Materials Management Division website for addenda shortly before the submission deadline.

D2.2 Proposals on all or part of the Lands

- (a) The City will only consider proposals which intend to purchase the Subject City Property referred to herein.

D3. EVALUATION OF PROPOSALS

D3.1 Right to Reject

D3.1.1 The City reserves the right to reject all or any Proposal(s).

D3.2 Caveat Emptor

D3.2.1 The City makes no representations or warranty with respect to the quality, condition or sufficiency of the Subject City Property.

D3.2.2 The City has not conducted a legal survey of the Subject City Property to determine the nature and extent of any structure thereon or to determine if there are any encroachments from adjoining lands.

D3.2.3 The Subject City Property will be sold or leased on an “as is, where is” basis, subject to the conditions as outlined within this RFP. It is the responsibility of the Proponent to conduct its own due diligence in this regard.

D3.3 Evaluation

D3.3.1 The City shall evaluate each proposal on its own merit and price alone may not be the sole determining factor that the City considers in the evaluation of each and every proposal.

D3.3.2 Purchase price, anticipated municipal tax revenue, overall development layout, building design and quality, and proposed use of the land and buildings will all be critical factors within the evaluation.

D3.3.3 Evaluation of Proposal shall be based on the following criteria:

- (a) Total offering price, financial terms, and potential tax revenue generated by the proposed development (20%);
- (b) Detailed plan outlining the proposed development and / or business operation, including timeframe to complete (20%);
- (c) Evidence of financial capability to complete the proposal without City of Winnipeg subsidy or grant (20%);
- (d) Experience and/or history of successful projects and endeavors carried out by the Proponent (20%); and
- (e) Proposed Development being in alignment with Our Winnipeg Plan By-Law No. 67/2010. (20%).

D3.3.4 Details of OurWinnipeg Plan By-law can be found at:

<https://www.winnipeg.ca/interhom/CityHall/OurWinnipeg/pdf/OurWinnipeg.pdf>

D3.4 Phase I – RFP Evaluation

D3.4.1 The Proponents are advised to present their best offer, not a starting point for negotiations in their Proposal. The City will only negotiate with the Proponents submitting, in the City’s opinion, the most advantageous and thorough proposal.

D3.4.2 The Planning, Property and Development Department (herein called the Department) will review all Proposals on the basis of financial, operational and strategic merit to the City.

D3.4.3 If, after this Phase I review, the Department deems the Proposals to be unacceptable, the Proponents will be notified and no further discussions will be held.

D3.4.4 Upon completion of the Phase I review, the Department will short list those Proposals that are worthy of additional discussions and proceed to the Phase II of the evaluation process.

D3.5 Phase II – Detailed Proposal Solicitation and Evaluation

- D3.5.1 The Department will notify all Proponents of their status within the short listing process, and will invite the short listed Proponents to submit additional or clarifying details, regarding their Proposal(s).

D3.6 Phase III – Negotiations

- D3.6.1 The Department will enter into detailed negotiations with one or more short listed Proponents which it believes have the most merit. The recommended proposal(s) will be finalized for submission to and consideration by the Standing Policy Committee on Property and Development and/or the Council of the City of Winnipeg.
- D3.6.2 The Proponent with the successful proposal will be required to enter into a purchase and sale agreement or other agreement(s) with the City outlining the terms and conditions of their proposal and any other terms and conditions deemed necessary by the Council or the City Solicitor/Director of Legal Services to protect the interests of the City.

D3.7 No Contract

- D3.7.1 The RFP is an inquiry only. By responding to this RFP and participating in the process as outlined in this document, Proponents expressly understand and agree that no contract of any sort is implied or formed under, or arises from this RFP and that no legal obligations between parties has, or will be, pre-determined.
- D3.7.2 The City will have no obligation to enter into negotiations or a contract with any Proponent as a result of this RFP.

D3.8 Confidentiality

- D3.8.1 Information provided to a Proponent by the City, or by a Proponent to the City, or acquired by any party by way of further enquiries or through investigation, is strictly confidential. Such information shall not be used or disclosed in any way without the prior written authorization of the City, or of the Proponent.
- D3.8.2 The Proponent shall not make any statement of fact or opinion regarding any aspect of the RFP to the media or any member of the public without the prior written authorization of the Director of the Planning, Property and Development Department.
- D3.8.3 Disclosure of a 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 final purchase price after closing date of the sale of the Subject City Property.

D4. OPENING OF PROPOSALS AND RELEASE OF INFORMATION

- D4.1 Proposals will not be opened publicly.
- D4.2 After award of Contract, the names of the Proponents and the Contract amount of the successful Proponent and their address(es) will be available on the Closed Bid Opportunities (or Public/Posted Opening & Award Results) page at The City of Winnipeg, Corporate Finance, Materials Management Division website at <http://www.winnipeg.ca/matmgt/>
- D4.3 The Proponent is advised any information contained in any Proposal Submission may be released if required by The Freedom of Information and Protection of Privacy Act (Manitoba), by other authorities having jurisdiction, or by law or by City policy or procedures (which may include access by members of City Council).
- D4.4 To the extent permitted, the City shall treat as confidential information, those aspects of a Proposal Submission identified by the Proponent as such in accordance with and by reference to Part 2, Section 17 or Section 18 or Section 26 of The Freedom of Information and Protection of Privacy Act (Manitoba), as amended.
- D4.5 Following the award of the Contract, a Proponent will be provided with information related to the evaluation of his/her submission upon written request to the Contact Person.

D5. CONTACT PERSON

Charles Osondu, BTECH, CPM, Senior Negotiator
City of Winnipeg
Planning, Property and Development Department
2nd Floor – 65 Garry Street
Winnipeg, MB R3C 4K4

Phone (204) 986-6407

Email: cosondu@winnipeg.ca

PART E - APPENDICES

GENERAL

E1. LIST OF APPENDICES

E1.1 The following Appendices are provided for the convenience of the Proponent only:

- | | |
|----------------|---------------------------------------|
| (a) Appendix A | Misc. Plan No. 14483/5 |
| (b) Appendix B | Main Floor Plan & Basement Floor Plan |
| (c) Appendix C | Asbestos Inventory |
| (d) Appendix D | DASZ 31/2013 |