

KENT COUNTY WATER AUTHORITY
REQUEST FOR PROPOSAL
RELATING TO LAND ACQUISITION FOR
PROPOSED NEW FACILITY

ARTICLE 1. PROJECT SCOPE

- 1.1 The Kent County Water Authority is seeking to purchase vacant land or land for redevelopment on one or more parcels (“Property”) upon which the KCWA will construct a new Central Operating Facility.

This Property must have a minimum of five (5) buildable acres and be located central to the KCWA legislative service area in close proximity to highway access. All proposed properties must be of sufficient in size to accommodate all uses required by KCWA including, but not limited to offices, construction materials and spare parts storage, vehicle garage, parking and renewable energy.

In general, the site must be able to accommodate a 45,000 ± square foot building to house administration, operations and garage space, along with an additional 90,000± square foot exterior space for covered parking and storage, vehicular circulation, employee and visitor parking, fueling and charging stations, equipment washing area, loading dock and dumpster area.

ARTICLE 2. GENERAL PROPERTY REQUIREMENTS

- 2.1 **SITE:** The KCWA is seeking to purchase land which can readily be developed. If the proposed site is not yet developed or prepared to be construction ready for the envisioned KCWA Central Office Facilities, all costs to accommodate KCWAs intended use of the site must be identified.
- 2.2 **PROPERTY:** Property must be readily accessible by a public roadway. Sites within private developments that do not have public roadways will not be considered. Easements and setback and wetlands requirements must be such that they do not adversely impact the developable area of the site. Zoning must be conducive to intended uses. Intended use of the property shall not be impacted by restrictive covenants running with the land. Site drainage, topography, and soil conditions of the site shall not adversely impact the overall cost to prepare the site for construction activities. Title to the property shall be conveyed via General Warranty Deed, free and clear of all liens and encumbrances. In general, the site must conform to the following criteria:
- Site must be located within the KCWA Service Limits
 - Site must have contiguous land partially located within the RI Wellhead Protection Areas as shown on Figure 1 - Preferred Area Map
 - Site must receive potable water supply from the KCWA public water system
 - Public utilities must be available or within close proximity that they can be easily extended to the site.

- Site must have a minimum of five (5) contiguous acres of buildable land area.

Property requirements are also subject to all criteria as stated in Article 9.

- 2.3 UTILITIES: It is preferred that all utilities be available or brought to the site by the Seller prior to the sale of the property. Utilities would include water lines, sewer service, electrical service, high speed network communications, and gas lines if available.
- 2.4 COST OF LAND - The proposed purchase price of the land will be at or below fair market value, which must be confirmed by a formal appraisal or market survey. The costs of the appraisal, environmental assessment, re-zoning, title insurance and survey are to be paid by the Offeror. All other normal and customary closing costs will be divided equally between the KCWA and the Offeror.
- 2.5 Kent County Water Authority reserves the right to reject any Proposal, or parts thereof, if the evidence submitted by, or the investigation of, such Proposer fails to satisfy Kent County Water Authority requirements.

ARTICLE 3. COPIES REQUEST FOR PROPOSAL DOCUMENTS:

- 3.1 Complete sets of Request for Proposal Documents shall be used in preparing the Proposals; Kent County Water Authority assumes no responsibility for errors or misinterpretations resulting from the use of incomplete sets of Request for Proposal Documents.
- 3.2 Kent County Water Authority in making copies of Request for Proposal Documents available do so only for the purpose of obtaining Proposals for Land Acquisition and do not confer a license or grant for any other use.

ARTICLE 4. EXAMINATION OF REQUEST FOR PROPOSAL DOCUMENTS:

- 4.1 Before submitting a Proposal, each Proposer must examine the Request for Proposal Documents thoroughly and familiarize themselves with the envisioned Central Operating Facility and Property Requirements.
- 4.2 The submission of a Proposal will constitute an incontrovertible representation by the Proposer that he has complied with every requirement of this Request for Proposal and all documents contained herein.

ARTICLE 5. INTERPRETATIONS:

- 5.1 All questions about the meaning or intent of the Request for Proposal Documents shall be received in writing by Kent County Water Authority at the pre-proposal conference.
- 5.2 Written clarifications or interpretations will be issued if requested by Addenda not later than four (4) calendar days before the Proposal opening date. Only questions answered by formal written Addenda will be binding. Oral and other clarifications or interpretations will be

without legal effect. Addenda will be mailed via certified mail or emailed, with return receipt requested, to all parties recorded as having received the Request for Proposal Documents.

- 5.3 Each Proposer shall be responsible for determining that they have received all Addenda issued and so note on the proposal.

ARTICLE 6. PRE-PROPOSAL CONFERENCE

- 6.1 A pre-proposal conference will be held as described in the advertisement for Request for Proposals to discuss project related concerns of these Proposed Documents to the Kent County Water Authority.
- 6.2 The Pre-Proposal conference is not mandatory for all Proposers.

ARTICLE 7. RECEIPT OF PROPOSALS

- 7.1 Sealed Proposals for the Request for Land Acquisition must be received on or before 10:00 AM March 24, 2020.
- 7.2 Kent County Water Authority may consider informal any Proposal not prepared and submitted in accordance with the provisions hereof.
- 7.3 Proposers are cautioned that it is the responsibility of each individual Proposer to assure that his Proposal is in the possession of the responsible official of the Kent County Water Authority or his designated alternate prior to the stated time and at the place of the Proposal Opening. Kent County Water Authority is not responsible for Proposals delayed by mail and/or delivery services, of any nature.
- 7.4 All Proposals shall be submitted in a sealed opaque envelope. Clearly indicate on the envelope jacket that it is a Proposal for Land Acquisition. Kent County Water Authority will not be responsible for any envelopes opened that are not clearly marked. (If forwarded by mail, Proposal shall be in a sealed outer envelope marked as described above and shall be enclosed in another "inner" envelope with the notation "PROPOSAL ENCLOSED" on the face.)

ARTICLE 8. MODIFICATION OF REQUEST FOR PROPOSALS:

- 8.1 Proposals may not be modified once they are accepted by the Kent County Water Authority office staff or designated alternate prior to opening. After opening of proposals, modifications will not be allowed.

ARTICLE 9. PROPERTY REQUIREMENTS AND EVALUATION CRITERIA

- 9.1 The Proposal documents must meet at a minimum, the standards and requirements listed herein. Proposers wishing to submit more than one property must provide a complete

Proposal for each property. Proposals not meeting the RFP requirements will be eliminated from consideration. Proposers of eliminated proposals will be notified, as soon as practical. The Proposer shall address and demonstrate in the Proposal how each property meets or exceeds each of the following characteristics which are critical in the evaluation and award process.

9.1.1 Purchase Terms and Conditions

- i. Purchase Price -Total cost. Cost shall be broken down to include, raw land, site work, utilities by service, remediation and any other factors adding excessive cost or liability to the project. Total cost does not include cost of the envisioned Central Operating Facility structures.

9.1.2 Locational Attributes and Site Information

- i. The site must be located within a geographic area as shown in Figure 1 and properties within the RI WHPA in whole or in part are preferred as long as the buildable area, including accessibility, meets the minimum acreage requirements
- ii. Provide a legal description of the proposed Property
- iii. Provide evidence of ownership or control of each proposed Property
- iv. Provide a site plan and/or class 1 survey, if available, of the property being proposed, including easements, rights-of-way and encumbrances.
- v. Provide a site plan showing any natural features that may affect site development, such as contours, limits of regulated wetlands, watercourses, floodplains and steep slopes.
- vi. The site should have access to major roads, easily located with minimal turns, close proximity to Interstate 95 and readily visible

9.1.3 Public and Municipal Services Availability

- i. Please confirm the availability, existence and location of the following municipal services:
 - Electricity
 - Natural Gas
 - Water (KCWA)
 - Public Sewer Services
 - Cable or Fiber Optic Communications (Telephone/Internet)
 - Other
- ii. Please provide additional details where possible.

9.1.4 Property environmental matters

- i. Provide copies of any environmental studies and testing results which are in the possession of the owner or subject to RIDEM action
- ii. Describe any known hazardous waste or environmental issues associated with the proposed Property.
- iii. Provide information on any current, pending or required remediation activities on the proposed Property.
- iv. Properties that are not vacant and free of environmental contaminants will not be considered.

9.1.5 Encumbrances

- i. Provide information regarding any current or pending special assessments, liens, being levied against the proposed Property. Proposers, at Proposer's sole cost, shall be responsible for the payment of all special assessments and clear of all liens, prior to closing
- ii. Provide information on all known easements and/or agreements.
- iii. Indicate any known deed restrictions and/or other zoning or use restrictions.
- iv. Indicate whether there are any known or potential encroachments.

9.1.8 Zoning and Land Use Matters

- i. Provide information regarding the current zoning and land use classification. Closing on the selected Property will be contingent upon the property owner's ability to secure and meet the proper zoning approval for its intended use.
- ii. 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.
- iii. Provide any opinions of counsel as to zoning or land use matter in owner's or proposers possession or knowledge.
- iv. Provide copies of any agreements, orders or decrees concerning impact fees, linkage fees, and exactions.

9.1.9 General Information

- i. Provide address, parcel ID and legal description.
- ii. Identify the current owner of record and period of ownership.
- iii. Identify all present uses.
- iv. Provide tax assessment information.
- v. Identify all past uses, if known.
- vi. Describe any buildings currently on the Property.
 - a. If known, indicate the presence of any contamination or hazardous material within the building (e.g., asbestos, lead paint, etc.)
 - b. Provide information on any current, pending or required remediation within the building.
 - c. Describe any existing structures currently on the Property.
 - d. Describe any building(s) or structure(s) previously on the Property, if known.

9.2 Additional Information, Clarification and Site Visits

Proposers submitting Proposals deemed to meet the general requirements of the RFP (Qualified Proposals) will be notified and may be asked to provide additional information and/or clarification of their Proposals. In addition, site visits will be scheduled. Multiple site visits may be required as deemed necessary by KCWA.

ARTICLE 10. REQUIRED SUBMITTALS:

- 10.1 All items request in this Article must be submitted bound in one volume, eight (8) copies of each. A digital PDF must of the submission must also be provided.
- 10.2 A cover letter must be included stating an Intent to Sell and signed by Property Owner/s.
- 10.3 Complete submittals will consist of satisfactory response to all items specified in Article 9
- 10.4 Any and all other related qualifications as deemed necessary for review.

ARTICLE 11. SELECTION CRITERIA FOR SELECTION:

- 11.1 The Kent County Water Authority shall review Proposals based on the following criteria: a minimum of three Proposals (if sufficient #'s submitted) may be selected from the criteria below.
 - i. Centrally located with the KCWA service area as shown on the attached map
 - ii. Cost per acre of raw land.
 - iii. Total cost including site work, utilities, remediation and any other factors adding excessive cost to the project. Total cost does not include cost of the structures.
 - iv. Availability of Utilities.
 - v. Current zoning and any potential zoning issues.
 - vi. Public roadway access and proximity to I 95
 - vii. A portion of the Parcel is within a RI Wellhead Protection Area
 - viii. Organization content and completeness of Proposal.
 - ix. Satisfactory response to all questions raised.
- 11.2 Upon the completion of the site visits, letters may be issued to some or all of the Qualified Proposers which may request additional information and/or clarifications and may offer each proposer the opportunity to update, clarify any terms and conditions of their Proposals. The KCWA reserves the right to negotiate the price terms and conditions of the land acquisition or reject the proposal in the best interest of the KCWA.
- 11.3 Upon receipt of the responses, Proposals will be evaluated and considered based upon all information received to date. While the purchase price of each Proposal will be considered, the final selection may not necessarily be the lowest cost Proposal. Selection will also be based upon criteria which best meets the needs of the KCWA.

ARTICLE 12. SELECTION NON-BINDING

- 12.1 The KCWA selection of a Property consideration indicates only its intent to further assess the location. The selection does not constitute a commitment by KCWA to execute a contingent or final agreement or contract with that Proposer. Proposers therefore agree and acknowledge that they are barred from claiming to have detrimentally relied on any action or inaction by KCWA, or its contractor, representative, or employees' actions for any costs or liabilities incurred as a result of responding to this RFP.
- 12.2 The Kent County Water Authority reserves the right consider each property in whole or in part and reject any and all Proposals. The Kent County Water Authority reserves the right to award this proposal without interviews and basing these decisions on what the Board of Directors considers in the best intent of the KCWA.