



NOTICE OF SOLICITATION

SOLICITATION # 2021072

Publish Date: June 17, 2021

REQUEST FOR QUALIFICATIONS FOR: PROPERTY REDEVELOPMENT – SOUTHEAST CORNER OF MAIN AND COUNTRY CLUB

RESPONSE DUE DATE AND TIME: JULY 28, 2021 – 3:00 P.M. LOCAL ARIZONA TIME

Notice is hereby given sealed responses will be received by the Purchasing Division, City of Mesa, until the date and time cited above. Responses received by the correct date and time will be opened publicly and read aloud by the Purchasing Division's Procurement Administrator (or designated representative).

To join the response opening at 4:00 P.M. local Arizona time on the due date via Microsoft Teams, please visit the following website: [Proposal Opening Link](#)

Teleconference Number: 480-535-7460; Conference ID: 149 234 706#

PRE-PROPOSAL CONFERENCE:

Date and Time: June 29, 2021, at 11:00 a.m. Local Arizona time.

[Pre-Proposal Conference Link](#)

Teleconference Number: 480-535-7460; Conference ID: 562 559 445#

The conference provides interested parties an opportunity to discuss the City's needs and ask questions.

Vendor Questions are due to purchasing by 9:00 am July 12, 2021.

Please read the entire Solicitation package and submit the QUALIFICATIONS in accordance with the instructions. This document (less this invitation and the instructions) and any required response documents, attachments, and submissions will constitute the response.

Responses must be in the actual possession of the Purchasing Division Office submitted electronically, on or prior to the exact date and time indicated above. Late submittals shall not be considered under any circumstances.

Questions concerning this Solicitation should be submitted in writing through the City of Mesa's Purchasing Website Vendor Self Service portal at <https://vendor.mesaaz.gov/> or by email to the following Purchasing contacts or their designees:

Technical Questions:

Jess Romney, NIGP-CPP, CPPB
Procurement Officer II
Phone: 480-644-5798
Jess.Romney@MesaAZ.gov

General or Process Questions:

Desiree Marciniak
Procurement Specialist
Phone: 480-644-2545
Desiree.Marciniak@MesaAZ.gov

NOTE: THE CITY OF MESA PUBLISHES ITS SOLICITATIONS, ATTACHMENTS, AND ADDENDA ONLINE AND THEY ARE AVAILABLE FOR VIEWING AND/OR DOWNLOADING AT THE FOLLOWING INTERNET ADDRESS: <https://vendor.mesaaz.gov/>

CURRENT CONTRACTS AND RELATED INFORMATION ARE AVAILABLE FOR VIEWING AND/OR DOWNLOADING AT THE FOLLOWING INTERNET ADDRESS:

<http://apps.mesaaz.gov/purchasingcontracts/Search>

All vendors wishing to conduct business with the City are required to register and maintain all information used for the notification of Solicitation opportunities and issuance of payment in the Vendor Self Service (VSS) system. To register and view additional vendor information, go to <https://vendor.mesaaz.gov/>

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DEVELOPMENT OPPORTUNITY

1. **INTENT:** The City of Mesa, Arizona is issuing this Request for Qualifications (RFQ) to solicit qualifications from development firms with a proven track record and extensive experience in developing vibrant urban mixed-use projects. The best qualified development firm will have the opportunity to partner with the City and private property owners to redevelop a four (4) acre privately-owned site bifurcated by an existing City road located at the southeast corner of Main and Country Club (the "Property") in downtown Mesa (see Attachment B). The Property presents a unique and exciting opportunity to control a strategically vital light-rail adjacent, corner at the gateway to historic downtown Mesa. Opportunity sites are rapidly exiting the market in this developing urban center. The selected respondent would have exclusive negotiation rights for this unlisted development deal. The ideal respondent will have a proven record and reputation for executing similar successful redevelopment and/or parcel assemblage projects.

2. **DOWNTOWN MESA BACKGROUND:** With a population of more than 500,000, Mesa, Arizona is the 35th largest city in the United States and second largest in the Phoenix-Mesa metro area. Mesa encompasses 138 square miles inside a 21-city region that has a population of 4.7 million people and is projected to grow to 6 million by 2030. Mesa has received many recent accolades including #8 Safest City and #15 Best Big City to Live in the country.¹ In recent years, technology and innovation has driven the addition of companies like Google, Apple, Dexcom, Textron Aviation and the Banner Health Simulation Center.

The original one square mile of Mesa, incorporated in 1883, now comprises the downtown core. The downtown square mile is home to the historic retail core, the largest comprehensive arts center in the Southwest, Mesa Amphitheater, Mesa Convention Center, museums, multiple higher education institutions, four nationally registered historic districts and a vibrant arts and culture scene (<http://www.mesaartscenter.com> and <https://www.downtownmesa.com>).

Many significant projects are in various stages of planning and development including Arizona State University @ Mesa City Center scheduled to open in Spring 2022, multiple mixed-use projects, a recent multi-million-dollar renovation of Pioneer Park, and a comprehensive renovation of the Historic LDS Temple. The centerpiece of the Arizona State University (ASU) program will be a five-story building currently under construction at Pepper Street and Centennial Way which is expected to draw more than 1,000 ASU students, faculty, and staff to downtown Mesa. The campus will house the ASU Creative Futures Laboratory, including new academic programs related to digital and sensory technology, experiential design, gaming, media arts, film production, and entrepreneurial development and support. The ASU Aquatech Futures Laboratory anchors the City's Downtown Innovation District, which will also include The Studios @ Mesa City Center, a collaborative space for students, entrepreneurs and industry leaders, and The Plaza @ Mesa City Center. The Plaza is a two-to three-acre signature gathering space just south of the ASU building with an open community space, water features and seasonal ice rink. These and many additional projects, are located within walking distance of the Property (see Attachment D).

3. **PROPERTY BACKGROUND:** Located along the southeast corner of Main Street and Country Club Drive, the Property occupies the western gateway to Mesa's historic downtown. General commercial uses line the north-south aligned Country Club and single-family residential borders the southeast corner of the Property. The Property is bifurcated from north to south by South Morris and bordered on the southeast by West Mahoney Avenue. The Property consists of unoccupied lots, existing buildings, and city street.

The unusual lot layout of the Property, age of the buildings, and other factors created challenging conditions for redevelopment and lease despite investments in the surrounding downtown area. To achieve the highest and best use of the Property, the City and private property interests have entered a public-private partnership culminating in this RFQ.

The extension of regional light rail into downtown has been a catalyst for new growth and development. At four (4) acres, this site would be one of the largest opportunity sites in downtown area. Further, this property is in a designated Opportunity Zone (census tract 421400). The

¹ According to WalletHub and SafeWise.com national reports

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Opportunity Zones program is a federal program designed to spur community investment by providing tax benefits to investors. The Opportunity Zone map, qualifications for and examples of Opportunity Zone businesses can be found here: <https://www.selectmesa.com/business-environment/incentives-programs/opportunity-zones>

South Morris contains numerous City and third-party utilities (Attachment F & G). The developer would be responsible for relocating or otherwise resolving issues with third parties. The City Will consider assistance based on the quality and the benefit to the public.

4. **CITY'S POTENTIAL COMMITMENT AND CONTRIBUTIONS:**

- Government Property Lease Excise Tax (GPLET) to finance development.
- Designated City project manager to navigate development through entitlement and development process.
- Abandonment of existing roadways.
- Infrastructure improvements, relocations or extensions, as needed.
- Economic development utility rates for developments that meet minimum qualifications.
- Expedited building/construction plan review.
- Self-certification of building/construction plans.
- Attendance, support, or management of public meetings or hearings (depending on type of meeting or hearing).
- Long-term commitment to a partnership that will evolve over time to achieve mutually beneficial redevelopment outcomes.

5. **ZONING AND GOVERNING PLANS:** The Property is within the Form-Based Code area and is identified as T-5 Main Street (T5-MS) Street and T-4 Neighborhood Flex (T4-NF) in the Regulating Plan. The City assist in zoning the entire Property T5-MS at the request of the developer.

The FBC overlay “floats” over the traditional use-based zoning and has been pre-approved by the City Council for properties that elect to opt-in. The developer will be expected to opt-in to the Form-Based Code (FBC) as a condition to a development agreement with the City. The Opting in-to the FBC is a no-cost, administrative approval process that is typically completed within a week. The current [use-based zoning for the property is Downtown Core \(DC\)](#). (Title 11, Article 2, Chapter 8).

T4-NF. The intent of T4-NF is to provide a flexible area that accommodates smaller neighborhood serving commercial uses in a main street form. Properties using this transect are permitted 100 percent lot coverage and must be 20' tall minimum with three stories maximum. Off-site parking within 1200 may be used to meet parking requirements for non-residential uses. Non-residential requires 2 spaces for every 1,000 sf and residential spaces require 1 space for every 1,000 sf of building area.

T5-MS. The intent of T5-MS is to enable designated areas within the core of central Mesa to support intense vertical mixed use mid-rise and high-rise development near transit stops or other pedestrian oriented urban areas. Developments within T5MS Transects are permitted 100 percent lot coverage and are at least 3 stories (2 stories within the Historic Downtown Overlay; 85 feet base; 105 feet for buildings with more than 25% affordable or senior housing; 135 feet or LEED, or equivalent certified buildings) T5MS developments include an active street front with ground floor retail, commercial, or entertainment uses and have low to no parking requirement to promote walkability. Upper floors can be commercial or residential. Commercial parking is handled as part of a downtown parking district and residential parking is handled through off-street surface or structured parking.

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Central Main Plan Recommended Building Form and Character—Urban Gateway.

The Central Main Area includes two Urban Gateways. One is the western entrance into the Downtown and is focused around the light rail station at Country Club Drive and the other is the eastern entrance into the Downtown and is focused around the light rail station at Mesa Drive. The intent of this area is to provide the most intensive development areas outside of the Modern Downtown in vertically mixed-use, mid-rise buildings. These areas also provide transitions to surrounding lower-intensity areas.

A map of the Property zoning can be seen in Attachment E. Links to the Central Main Plan and Form-Based Code are provided below:

[Central Main Street Area Plan | City of Mesa \(mesaaz.gov\)](#)

[Form-based Zoning | City of Mesa \(mesaaz.gov\)](#)

6. **SELECTION PROCESS:** Applicants can anticipate the following process.

Responses to this RFQ will be evaluated and the highest scoring development firm will be selected to negotiate. The next two highest rated firms will be waitlisted should negotiation with the originally selected firm prove mutually unbeneficial. Primary negotiations will occur between CRE Options and the development firm. The City will also be available to discuss incentives, facilitate the project and a development agreement.

Anticipated Process

- Evaluation and rating of all RFQ responses
- Invitations for interviews (if needed)
- Top-rated firm and waitlist firms are notified
- Negotiations between CRE Options representing private property owners and the City
- Data gathering and site studies
- City drafts development agreement
- City and top-rated firm agree to terms of the development agreement
- City Council Approval
- Land acquisition and development

Anticipated Schedule:

Pre-Proposal meeting: June 29, 2021

Written questions/requests for clarification due: July 12, 2021

City response to written question/requests for clarification: July 20, 2021

RFQ responses due: July 28, 2021

Evaluation of RFQ submittals August 2021

Interview (if needed) August 2021

Developer and waitlisted developers selected: August 2021

Negotiations: Summer/Fall 2021

Sale and development agreement drafting: Fall 2021

Development agreement to the Mesa City Council: Winter 2021

INSTRUCTIONS

1. **GENERAL:** Please read the entire Solicitation package and all attachments before submitting a Response. Responses must be in accordance with the provisions, specifications and instructions set forth herein and will be accepted until the date and time the Response is due.
2. **VENDOR QUESTIONS:** All questions regarding the contents of this Solicitation, and Solicitation process (including requests for ADA accommodations), must be directed solely to the Procurement Officer/Supervisor and/or the Purchasing Specialist. Questions should be submitted in writing through the City of Mesa's Purchasing Website Vendor Self Service portal at <https://vendor.mesaaz.gov/> or by email. **Vendor Questions are due to purchasing by 9:00 am July 12, 2021.** Questions received less than seven (7) calendar days prior to the due date and time for Responses may be answered at the discretion of the City.
3. **INSTRUCTIONS FOR PREPARING AND SUBMITTING RESPONSE:** Respondents must submit their responses electronically. Respondents shall provide their Responses in accordance with the following form and content requirements:
 - a. Responses shall be submitted through the City of Mesa's Purchasing Website at <https://vendor.mesaaz.gov> under the appropriate Solicitation opportunity. Submissions submitted elsewhere or under the wrong Solicitation will not be considered.
 - b. Responses must be signed by an authorized representative of Respondent with the authority to bind Respondent to make such commitments to the City set forth in the Response.
 - c. Responses should be specific to the Solicitation and present details on all requested information in a concise manner.

4. **RESPONSE FORMAT:**

Table of Contents. Identify contents by tab and page number

TAB 1 - Letter of Transmittal. A brief letter of transmittal should be submitted that includes the following information:

1. The Respondent's understanding of the opportunity.
2. The names of key persons, representatives, project managers who will be the main contacts for the City regarding this Solicitation.

TAB 2 - Qualifications. (Abilities, Experience and Expertise) The following information should be included:

1. Provide a general description of the firm
2. Provide a list of no less than three and no more than five similar projects of which the firm has experience. For each reference project, please provide the following information:
 - a. Description of the project, including project name and location
 - b. Project owner
 - c. Role of each key team member who worked on the reference project
 - d. Approximate dates of projects
 - e. Reference information (two contacts including current telephone numbers and correct email addresses, per project)
 - f. Indicate if project was urban infill
 - g. The status of the project (what phase of planning/construction it is currently in)
 - h. Construction valuation per project
3. Firm's experience, if any, in completing projects requiring cooperation with a municipal government
4. Firm's experience, if any, in completing projects requiring cooperation with multiple private property owners and/or parcel assemblage projects

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Note: In the RFQ, Mesa is seeking information about the development firm. Do not include other firms or individuals who are not in-house at the time of your submittal.

TAB 3 - Firm's Understanding of Parameters. Discuss the firm's general approach to infill urban development and explain how the location and unique site factors influence the type of re-development that will be successful at this site. Please discuss challenges you perceive with the property, your approach to these challenges including South Morris Avenue.

Describe in reasonable detail the firm's understanding of the local environment and local factors relevant to the prospective success of the project including but not limited to local market conditions, local business conditions, local business resources, and typical local real estate development practices, with a focus on using such understanding to facilitate the highest and best use of the Property in a timely manner.

Describe the concept based on your understanding of the form-based code and central main plan.

TAB 4 - Firm's Proposed Solution/ Method of Approach. Discuss the major issues your team has identified in the developing of an urban, employment-based development and how you intend to address those issues.

Describe in reasonable detail your firm's vision for the highest and best urban mixed-use that includes an employment component. Include at a minimum the following:

- a) Intensity (number of stories)
- b) Number of buildings
- c) Parking needs
- d) Ground floor use and street level activation
- e) Estimated lot coverage
- f) Any other feasible uses besides employment, if any, you believe would compliment the downtown innovation district and please describe the use(s) that would be viable
- g) If office space is the highest and best use, what office class is market-viable
- h) Identify any technical innovations or creative approaches that may be used in executing the work.

TAB 5 - Firm's Financial Capacity History. Describe the financial capacity of the firm to develop and implement a realistic plan for the development of the Property including the ability to deliver financial resources needed to acquire and develop the proposed project. Respondents should demonstrate the firms' financial strength to withstand market fluctuation and meet milestones.

TAB 6 - Other Considerations. Overall evaluation of the developer and their perceived ability to acquire and develop the Property will be considered along with the evaluators' perception of the clarity, completeness, and presentation of the Statement of Qualifications. This is to be determined by the selection panel members. No submittal response is required for this item. Information obtained from the Statement of Qualifications and from any other reliable source may be used in the evaluation and selection process.

TAB 7 - Other Forms. The following forms should be completed and signed:

1. Vendor Information form
2. Exceptions & Confidential Information form
3. General Questionnaire form
4. Lawful Presence Affidavit
5. Respondent Certification form (Offer and Acceptance)
6. W-9 Form. All responses should include a fully completed, current W-9 form. Failure to include the W-9 will not disqualify your response, however the W-9 must be submitted to the City prior to the execution of any contract pursuant to this Solicitation. (<http://www.irs.gov/pub/irs-pdf/fw9.pdf>)

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5. **RESPONSE CHECKLIST:** This checklist is provided for your convenience. It is not necessary to return a copy with your Response. Only submit the requested forms and any other requested or descriptive literature.
 - Response will be sent in time to be received by City before Response due date and time.
 - Required Response Forms completed and included (Attachment A)
 - Required information for Tabs 1 – 7
 - W-9 Request for Taxpayer Identification Number and Certification form completed and included (<http://www.irs.gov/pub/irs-pdf/fw9.pdf>)
6. **ADENDA:** Any changes to the Solicitation document will be in the form of an addendum. Addenda are posted on the City website. Contractors are cautioned to check the Purchasing Website or the Self-Service portal for addenda prior to submitting their Response. The City will not be held responsible if a vendor fails to receive any addenda issued. The City shall not be responsible for any oral changes to these specifications made by any employees or officer of the City and Contractors are cautioned not to rely on any such changes. Failure to acknowledge receipt of an addendum may result in disqualification of a Response.
7. **RESPONSE OPENING:** The City will open all Responses properly and timely submitted and will record the names and other information specified by law and rule. The Response Opening will be conducted at 4:00 P.M. local Arizona time following the final **SOLICITATION DUE DATE AND TIME** via Microsoft Teams. No responsibility will attach to the City of Mesa, its employees, or agents for premature opening of a Response. All Responses become the property of the City and will not be returned. Results, as read at the public opening, will be posted on the City website. Responses will be available to the public in accordance with the City Procurement Rules.
8. **LATE RESPONSES:** The Respondent assumes responsibility for having the Response submitted on time. All Responses received after the Response Due date and time shall not be considered and will be unopened. The Respondent assumes the risk of any delay caused by not being able to access the system. Respondents must allow adequate time to accommodate all registration and submission requirements. It shall not be sufficient to show that Respondent attempted to submit a response before the due date and time as the Response must be received by the City. All times are Mesa, Arizona local times. Respondents agree to accept the time stamp in the website as the official time.
9. **RESPONSE FIRM TIME:** Responses shall remain firm and unaltered after opening for **180** Days unless the time is extended or amended as agreed upon by Respondent and the City. Examples of where an extension or amendment may be necessary include but are not limited to: (i) contract negotiations with selected Respondent; (ii) submission of a Best and Final Offer by Respondent; (iii) City needing additional time to review responses. The City may accept the Response, subject to successful contract negotiations, at any time during this period.
10. **LOBBYING PROHIBITION:** Any communication regarding this Solicitation for the purpose of influencing the process or the award, between any person or affiliates seeking an award from this Solicitation and the City including, but not limited to, City Council, City employees, and consultants hired to assist the City in the Solicitation, is prohibited.

This prohibition is imposed from the time of the first public notice of the Solicitation until the City cancels the Solicitation, rejects all Responses, awards a contract, or otherwise takes action which ends the Solicitation process. This section shall not prohibit public comment at any City Council meeting, study session, or City Council committee meeting.

This prohibition shall not apply to Respondent-initiated communication with the contact(s) identified in the Solicitation or City-initiated communications for the purposes of conducting the procurement including, but not limited to, vendor conferences, clarification of Responses, presentations if

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provided pursuant to the Solicitation, requests for Best and Final Responses (as set forth in the City Procurement Rules), contract negotiations, protest/appeal resolution, or surveying non-responsive vendors.

Violations of this provision shall be reported to the Purchasing Administrator. Persons violating this prohibition may be subject to a warning letter or rejection of their Response depending on the nature of the violation.

11. **LAWFUL PRESENCE IN THE UNITED STATES:** Arizona Revised Statutes § 1-501 and § 1-502 require all persons who will be awarded a contract (a Public Benefit as defined in 8 USC Section 1621) must demonstrate they are lawfully present in the United States. Person under the statute is defined as a natural person and therefore excludes Limited Liability Companies, Corporations, Partnerships, or other similar types of business entities as indicated on a W-9 form.
Individuals (natural persons) or Sole Proprietorships must complete the affidavit in the "Required Response Forms" section of this Solicitation. Respondents that fail to provide a completed affidavit and fail to provide the necessary documentation may be deemed non-responsive.
12. **COMMENCEMENT OF WORK:** If a Respondent begins any billable work prior to the City's final approval and execution of the contract, Respondent does so at its own risk.
13. **RESPONSIBILITY TO READ AND UNDERSTAND:** Failure to read, examine and understand the Solicitation and any of its addenda will not excuse any failure to comply with the requirements of the Solicitation or any resulting contract, nor shall such failure be a basis for claiming additional compensation. The City is not responsible for and will not pay any costs associated with the preparation and submission of a Response. Respondents are cautioned to verify their Responses before submission, as amendments to or withdrawal of Responses submitted after time specified for opening of Responses may not be considered. The City will not be responsible for any Respondent errors or omissions.
14. **FORM AND CONTENT OF RESPONSES:** Responses must be submitted online through the City of Mesa's Purchasing Website Vendor Self Service portal at <https://vendor.mesaaz.gov> under the appropriate Solicitation opportunity. Physical submissions, e-mail, or fax submissions will not be accepted unless explicitly allowed by the City of Mesa Purchasing Division. Unless otherwise instructed or allowed, Responses shall be submitted on the forms provided. Responses, including modifications, must be submitted electronically, and signed by an authorized representative of the Respondent. Please line through and initial rather than erase changes. Any modifications to the Solicitation must be identified in the "Exceptions" section of the required response forms. The City does not encourage exceptions. The City is not required to grant exceptions and depending on the exception, the City may reject the Response as non-responsive. The City reserves the right at its sole discretion to negotiate exceptions with a Respondent. If the Response is not properly signed or if any changes are not initialed, it may be considered non-responsive. In the event of a disparity between the unit price and the extended price, the unit price shall prevail unless obviously in error, as determined by the City. The Response must provide all information requested and must address all points set forth in the Solicitation.
15. **SPECIFICATIONS:** Technical specifications define the minimum acceptable standard. When the specification calls for "Brand Name or Equal," the brand name product is acceptable. The use of a brand name is for the purpose of describing the standard of quality, performance, and characteristics desired and is not intended to limit or restrict competition. If a Respondent wishes to provide a material or service that is not the brand name, the equivalent material or service must meet the standard of quality of the brand name product, which is determined at the City's sole discretion. Equivalent products will be considered upon showing the other product meets stated specifications and is equivalent to the brand name product in terms of quality, performance and desired characteristics. Products that are substantially equivalent to those brands designated will qualify for consideration.

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Minor differences that do not affect the suitability of the supply or service for the City's needs may be accepted. Burden of proof that the product meets the minimum standards or is equal to the brand name product is on the Respondent. The City reserves the right to reject Responses that the City deems unacceptable for any reason.

16. **MODIFICATION/WITHDRAWAL OF RESPONSE:** Written requests to modify or withdraw a Response received by the City prior to the scheduled opening time for Responses will be accepted and will be corrected after the Response due date and time. No oral requests will be allowed. Requests must be addressed and labeled in the same manner as the Response and marked as a MODIFICATION or WITHDRAWAL of the Response. Requests for withdrawal after the Response Due date and time will only be granted upon proof of undue hardship and may result in the forfeiture of any Response security. Any withdrawal after the Response due date and time shall be allowed solely at the City's discretion.
17. **DEBARMENT DISCLOSURE:** If the Respondent has been debarred, suspended, or otherwise lawfully precluded from participating in any public procurement activity, including being disapproved as a subcontractor with any federal, state, or local government or agency, or if any such preclusion from participation from any public procurement activity is currently pending, the Respondent shall include a letter with its Response identifying the name and address of the governmental unit, the effective date of the suspension or debarment, the duration of the suspension or debarment, and the relevant circumstances relating to the suspension or debarment. If suspension or debarment is currently pending, a detailed description of all relevant circumstances must be provided by the Respondent, including the details enumerated above. A Response from a Respondent who is currently debarred, suspended or otherwise lawfully prohibited from any public procurement activity may be rejected. Failure of a Respondent to disclose a debarment or suspension in accordance with this Section may result in the Response being disqualified for award of the Solicitation.
18. **RESERVATIONS:** The City reserves the right to reject any or all Responses or any part thereof; to re-issue the Solicitation; to reject non-responsive or non-responsible Responses; to reject unbalanced Responses; to reject Responses where the terms, prices, or awards are conditioned upon another event; to reject individual Responses for failure to meet any requirement; to award by item, part or portion of an item, group of items, or total; to make multiple awards; to waive minor irregularities, defects, omissions, informalities, technicalities or form errors in any Response; to conduct exclusive or concurrent negotiations of any terms, conditions, or exceptions taken by a Respondent or the terms of any agreement/document a Respondent would require the City to sign should Respondent be awarded a contract; and to reject Responses that are outside the City's budgeted amount for the materials or services that are the subject of the Solicitation. The City may seek clarification of the Response from Respondent at any time, and failure to respond is cause for rejection. Submission of a Response confers no right to an award or to a subsequent contract. The City is charged by its Charter to make an award that is in the best interest of the City. All decisions on compliance, evaluation, terms and conditions shall be made solely at the City's discretion and made to favor the City. No binding contract will exist between the Respondent and the City until the City executes a written contract or purchase order.
19. **EXCEPTIONS TO A SOLICITATION:** Changes to the Solicitation document requested by a Respondent may not be acknowledged or accepted by the City. Award or execution of a contract does not constitute acceptance of a changed term, condition or specification in the Solicitation unless specifically acknowledged and agreed to by the City. The copy of the Solicitation, including all addenda, maintained and published by the City shall be the official Solicitation document. Any exception to the Solicitation must be set forth in the "Exceptions" portion of the Response; any exceptions not indicated in the "Exceptions" portion of the Response will be deemed rejected by the City, void and of no contractual significance. The City reserves the right to: (i) reject any or all exceptions requested by a Respondent; (ii), determine a Response non-responsive due to the exception(s) made by Respondent; (iii) enter into negotiations with a Respondent regarding any of the Respondent's exceptions; or (iv) accept any or all of a Respondent's exceptions outright.

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20. **COPYING OF RESPONSES:** The Respondent hereby grants the City permission to copy all parts of its Response including, without limitation, any documents and/or materials copyrighted by the Respondent. The City's right to copy shall be for internal use in evaluating the Response.
21. **CONTRACTOR ETHICS:** Contractors doing business with the City shall adhere to the Procurement Ethics Standards, Article 7 of the Procurement Rules. It is the policy of the City to promote courtesy, fairness, impartiality, integrity, service, professionalism, economy, and government by law in the Procurement process. The responsibility for implementing this policy rests with each individual who participates in the Procurement process, including Respondents and Contractors. The failure of a Respondent or Contractor to meet the ethical standards may result in the disqualification of award under the Solicitation or the termination of a contract with the City.
To achieve the purpose of this Section, it is essential Respondents and Contractors doing business with the City observe the ethical standards prescribed herein and in the City Charter, Code Procurement Rules and Management Policy 200. It shall be a breach of ethical standards to:
- a. Exert any effort to influence any City official, employee or agent to breach the standards of ethical conduct.
 - b. Intentionally invoice any amount greater than provided in a contract or to invoice for materials or services not provided.
 - c. Intentionally offer or provide sub-standard materials or services or to intentionally not comply with any term, condition, specification or other requirement of a City contract.
22. **GIFTS:** The City will accept no gifts, gratuities or advertising products from Respondents or prospective Respondents and affiliates. The City may request product samples from Respondents solely for the purpose of product evaluation.
23. **EVALUATION PROCESS:** Responses will be reviewed by a screening committee comprised of City employees and/or any agents authorized by the City to participate in the evaluation. City staff may initiate discussions with Respondents for clarification purposes; however, a request for clarification is not an opportunity for a Respondent to change the Response. A request for clarification from a Respondent does not guarantee clarification will be requested from any other Respondents. Respondents shall not initiate discussions with any City employee, agent or official as set forth in the Lobbying section of these instructions including, but not limited to, members of the evaluation committee.
24. **PRESENTATIONS/INTERVIEWS:** A Respondent must provide a formal presentation/interview upon request of the City.
25. **SHORT-LISTING:** The City, at its sole discretion, may create a short-list of the highest scored Responses based on a preliminary evaluation of the Responses against the evaluation criteria. Only those short-listed Respondents will be invited to give presentations/interviews. Upon conclusion of any presentations/interviews, the City will finalize the scoring against the evaluation criteria.
26. **CRITERIA FOR EVALUATION AND AWARD:**

- a. The criteria that will be evaluated and their relative weights are:

Evaluation Criteria	Points
Firm's Qualifications & Experience	30
Firm's Understanding of Parameters	25
Firm's Proposed Solution / Method of Approach	25

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Firm's Financial Capacity History	15
Firm's Understanding of Central Main Plan and Form Based Code	5

- b. If less than three (3) Responses to a Solicitation are deemed responsive by the City, at the City's sole discretion, the Responses may be evaluated using simple comparative analysis instead of any announced method of evaluation, subject to meeting administrative and responsibility requirements.
- c. Each Response will be evaluated based upon responsiveness and responsibility criteria. A failure to meet responsiveness or responsibility criteria will render a Respondent ineligible for award of a contract under the Solicitation.
1. **Responsiveness.** The City will determine whether the Response complies with the instructions for submitting a Response set forth in the Solicitation (i.e. the completeness of the Response which encompasses the inclusion of all required attachments and submissions). Responsiveness will also be examined as it pertains to items set forth in this Solicitation that state a Respondent may be deemed non-responsive based upon the content of their Response. The City will reject any Responses that are submitted late. Failure to meet any requirements in the Solicitation may result in rejection of a Response as non-responsive.
 2. **Responsibility.** The City will determine whether a Respondent is one with whom the City should do business. Factors the City may evaluate to determine responsibility include, but are not limited to: an excessively high or low priced Response; past performance under any agreement with the City; references from any source including, but not limited to, those found outside the references listed in the Response and City employees, agents or officials who have experience with the Respondent; compliance with applicable laws; Respondent's record of performance and integrity (e.g. has the Respondent been delinquent or unfaithful to any contract with the City, whether the Respondent is qualified legally to contract with the City, financial stability and the perceived ability to perform completely as specified). A Respondent must at all times have financial resources sufficient, in the opinion of the City, to ensure performance of the contract and must provide proof upon request. City staff may also use Dun & Bradstreet or any generally available industry information to evaluate the Respondent. The City reserves the right to inspect and review Respondent's facilities, equipment and personnel and those of any identified subcontractors. The City will determine whether any failure to supply information, or the quality of the information, will result in Respondent being deemed non-responsible.
- d. Respondents who have a Transaction Privilege Tax license for Mesa and who, if awarded a contract, would charge the City TPT to be paid to Mesa, will have 2.00% removed from the taxable item(s) from the price set forth in the Response for the purpose of award evaluation. The awarded Respondent shall however charge the full amount of tax on their invoice(s).

This consideration does not apply to:

1. Construction procurements or any other procurement done using Arizona Revised Statutes Title 34 processes.
 2. Purchases using federal or other funds where the agreement that provided the funds precludes any local consideration or preference.
27. **COST JUSTIFICATION:** In the event only one Response to the Solicitation is received, the City may require the Respondent submit a cost offer in sufficient detail for the City to perform a cost/price analysis to determine if the Response price is fair and reasonable.
28. **CONTRACT NEGOTIATIONS AND ACCEPTANCE:** Respondent must be prepared for the City to accept the Response as submitted. If Respondent fails to sign all documents necessary to successfully execute the final contract within a reasonable time as specified, or negotiations do not

INSTRUCTIONS

result in an acceptable agreement, the City may reject the Response or revoke the award, and may begin negotiations with another Respondent. Final contract terms must be approved or signed by the appropriately authorized City official(s). No binding contract will exist between the Respondent and the City until the City executes a written contract or purchase order.

29. **NOTICE OF INTENT TO AWARD:** Notices of the City's intent to award a contract are posted to the Purchasing Division's website before 6:00 P.M. local Arizona time at least seven (7) calendar days prior to award.

It is the Respondent's responsibility to check the City of Mesa' Vendor Self Service portal at <https://vendor.mesaaz.gov/> to view Purchasing's Intent to Award notices. This may be the only notification you will receive regarding the City's Intent to Award a contract related to this Solicitation.

30. **PROTESTS AND APPEALS:** If a Respondent or any person believes there is a mistake, impropriety, or defect in the Solicitation, believes the City improperly rejected its Response, or believes the selected Response should not receive the City contract based upon a fact supported issue with the Solicitation or selected Respondent or otherwise protests the award to the Respondent, the Respondent may submit a written protest. All protests and appeals are governed by the City Procurement Rules ("Procurement Rules"). The rules surrounding protests and appeals may be found in Section 6 of the Procurement Rules which are located on the Purchasing Division website at <http://mesaaz.gov/business/purchasing>. Please see the Procurement Rules for more information on the submission of a protest and corresponding appeal rights; if there exist any discrepancy in this Section and the Procurement Rules, the language of the Procurement Rules will control.

ADDRESS PROTESTS TO:

Matt Bauer
Procurement Administrator
20 East Main Street, Suite 450
PO Box 1466
Mesa, Arizona 85211-1466
Fax: (480) 644-2655
Email: Matt.Bauer@MesaAZ.gov

ADDRESS APPEALS TO:

Edward Quedens
Chief Procurement Officer
20 East Main Street, Suite 450
PO Box 1466
Mesa, Arizona 85211-1466
Fax: (480) 644-2687
Email: Ed.Quedens@MesaAZ.gov

31. **POLICY DOCUMENTS:** The City of Mesa Charter, Code, Procurement Rules and Management Policy 200 govern this procurement and are incorporated as a part of this Solicitation by this reference. A copy of these documents may be found on Mesa Purchasing Division's website at www.mesaaz.gov/business/purchasing.

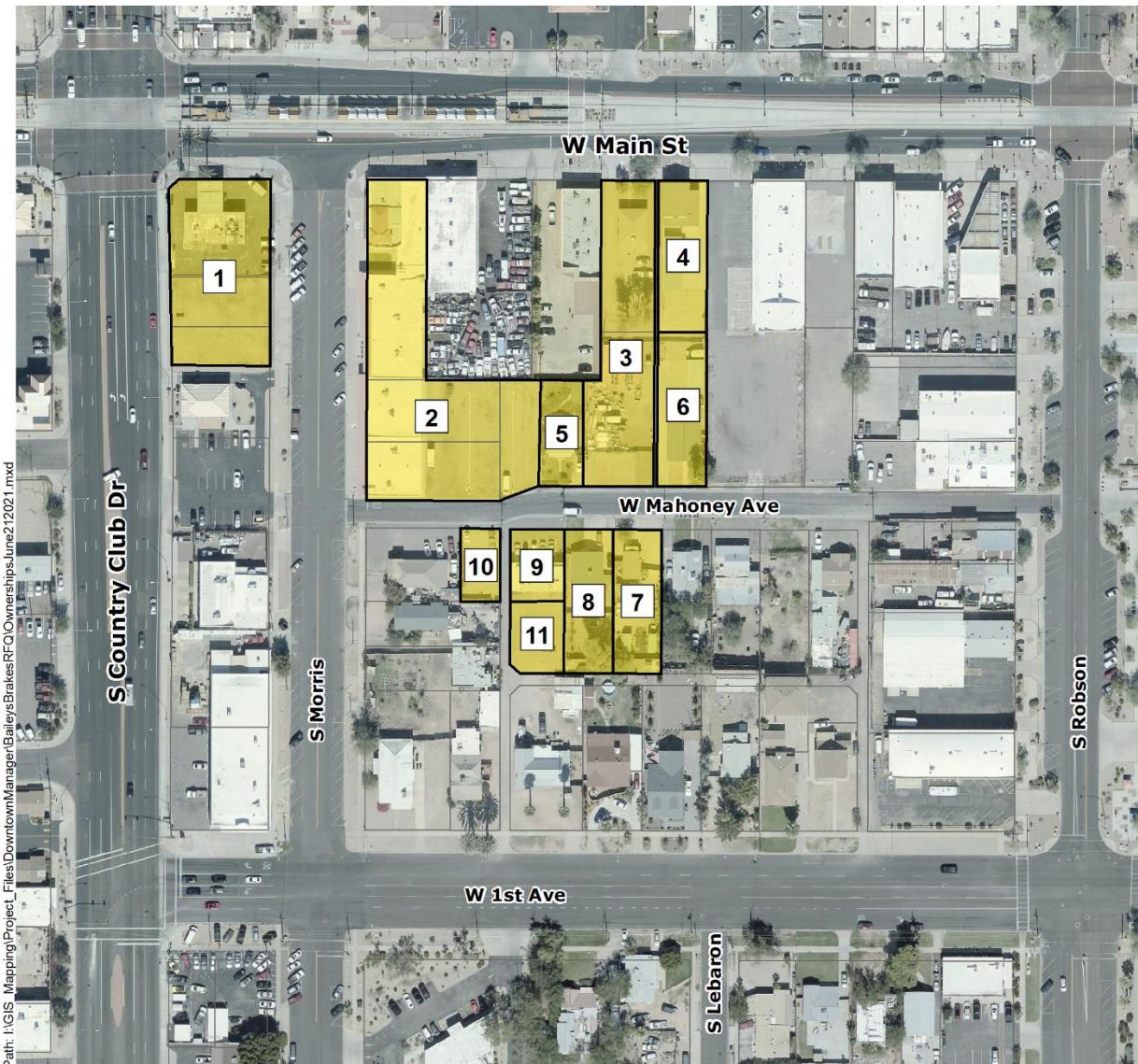
ATTACHMENT A
REQUIRED RESPONSE FORMS



Solicitation Required
Response Forms.docx

(Double Click Icon to Open)

ATTACHMENT B
SEC COUNTRY CLUB AND MAIN STREET PARTICIPANT MAP



Consent to Participate



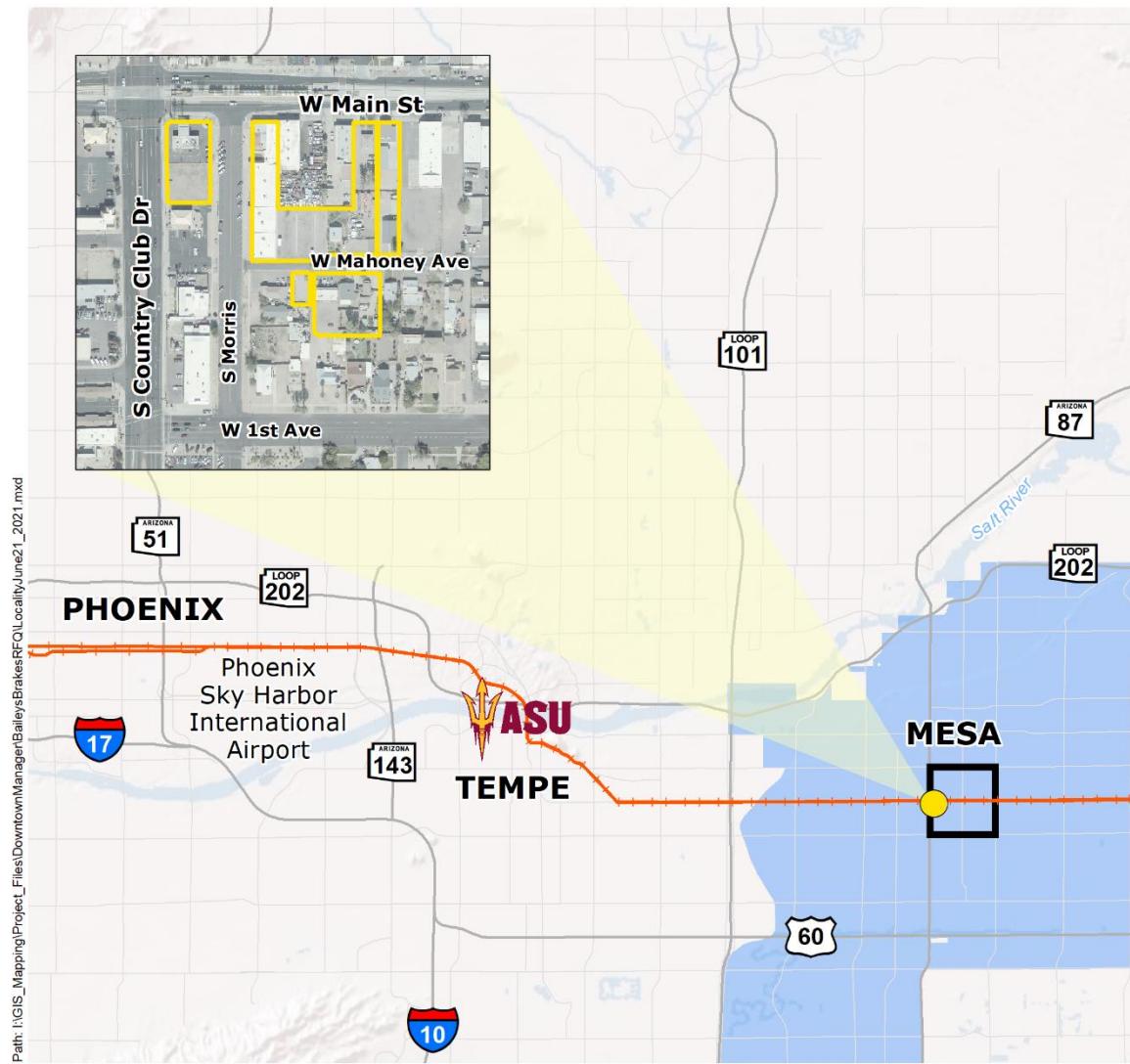
Map #	Address	APN #	Lot s.f.	Bldg. s.f.
1	311 W. Main St./15 & 21 S. Country Club Dr.	138-54-010/ 138-54-008A/138-54-009A	19,413	1,454
2	3, 17, and 23 S. Morris	138-54-036;038;039;043	33,500	17,095
3	239 W. Main St.	138-54-045; 042	18,452	1,588
4	237 W. Main St.	138-54-046	7,875	1,348
5	244 W. Mahoney	138-54-037	5,177	868
6	236 W. Mahoney	138-54-040	7,782	1,220
7	241 W. Mahoney	138-54-021	7,585	663
8	243 W. Mahoney	138-54-022	7,400	1,152
9	245 W. Mahoney	128-54-023B	4,040	1,225
10	253 W. Mahoney	138-54-024	3,000	N/A
11	N/A	138-54-023A	4,259	
TOTAL S.F.			118,483	
ACRES			2.720	

Map created by Engineering
GIS DATE SAVED: 6/21/2021

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Feet

ATTACHMENT C
SEC COUNTRY CLUB AND MAIN DEVELOPMENT SITE AND REGIONAL CONTEXT



Path: I:\GIS_Mapping\Project_Files\DownTownManagerBaileysBrakesR\QI\locality\June21_2021.mxd

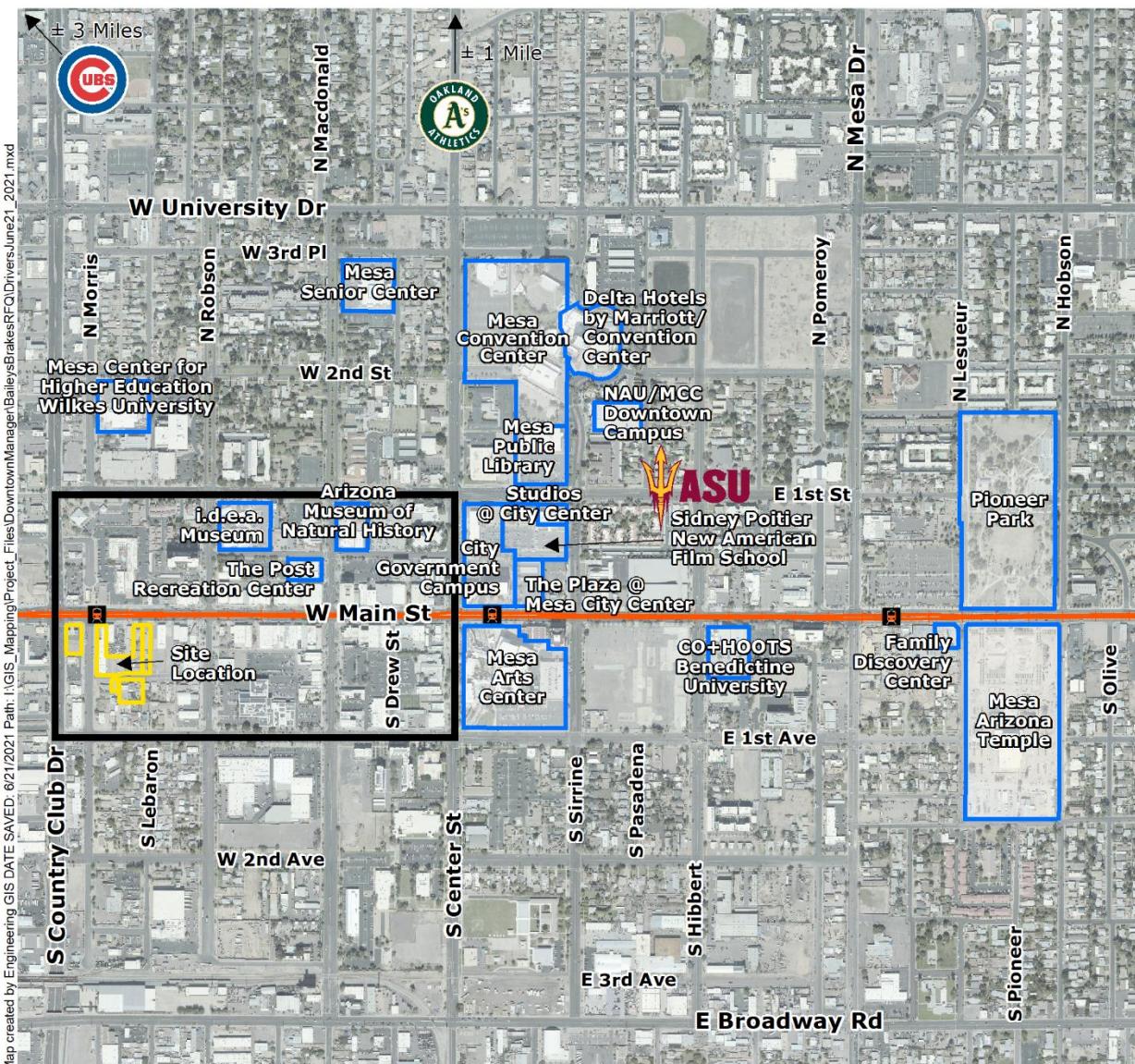
- Site Location
- Light Rail
- City of Mesa
- Downtown Mesa

Map created by Engineering
GIS DATE SAVED: 6/21/2021

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Miles

ATTACHMENT D
SEC COUNTRY CLUB AND MAIN RELATIONSHIP TO DOWNTOWN DRIVERS OF
ACTIVITY



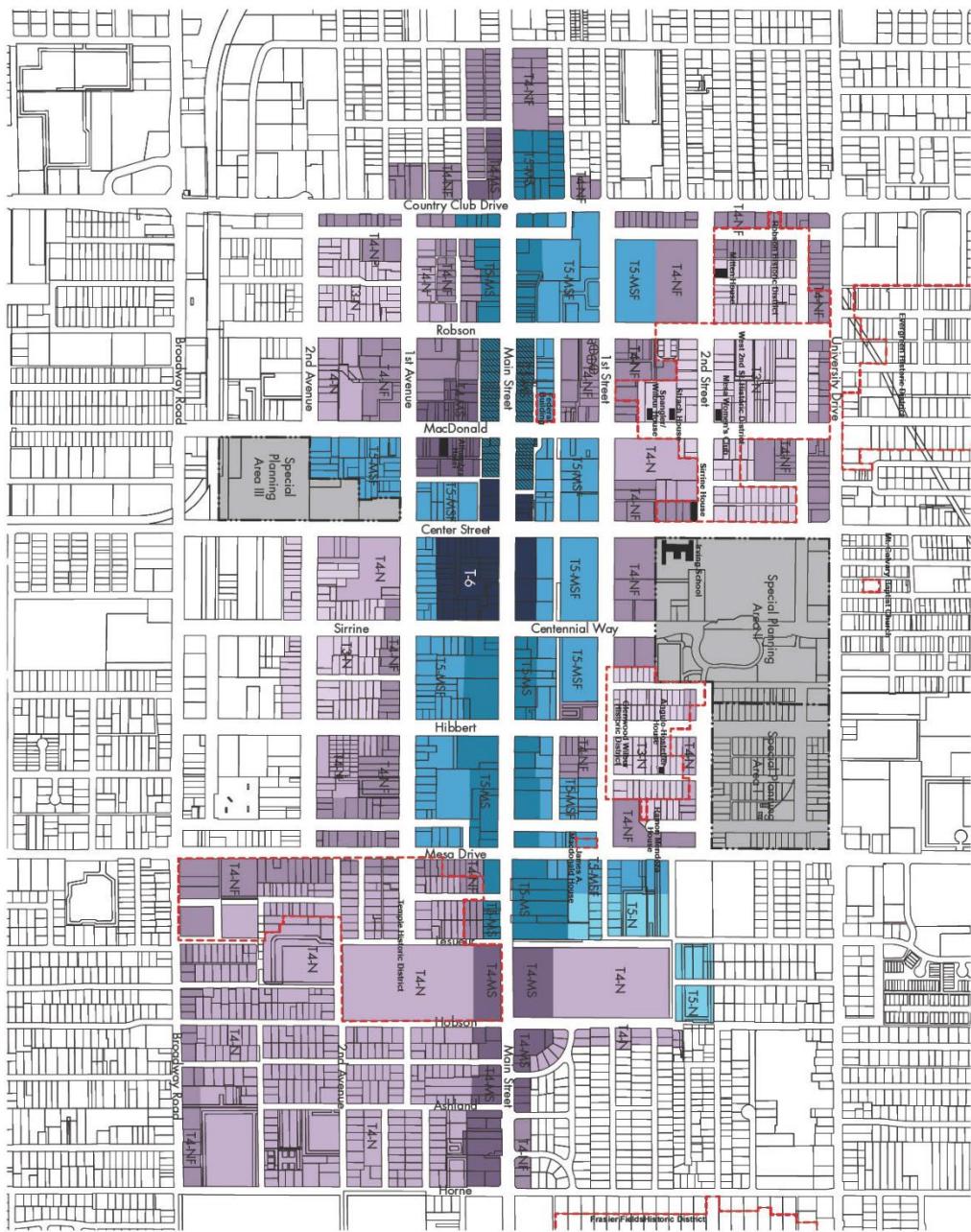
- Light Rail Stations
- Light Rail
- Site Location
- Ammenities & Attractions
- Historic Downtown

Map created by Engineering
GIS DATE SAVED: 6/21/2021

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ATTACHMENT E
FORM-BASED CODE REGULATING PLAN



11-57-1

Downtown and Temple/Pioneer Park
Neighborhoods Regulating Plan

- Key**
- Historic District
 - Historic Landmark

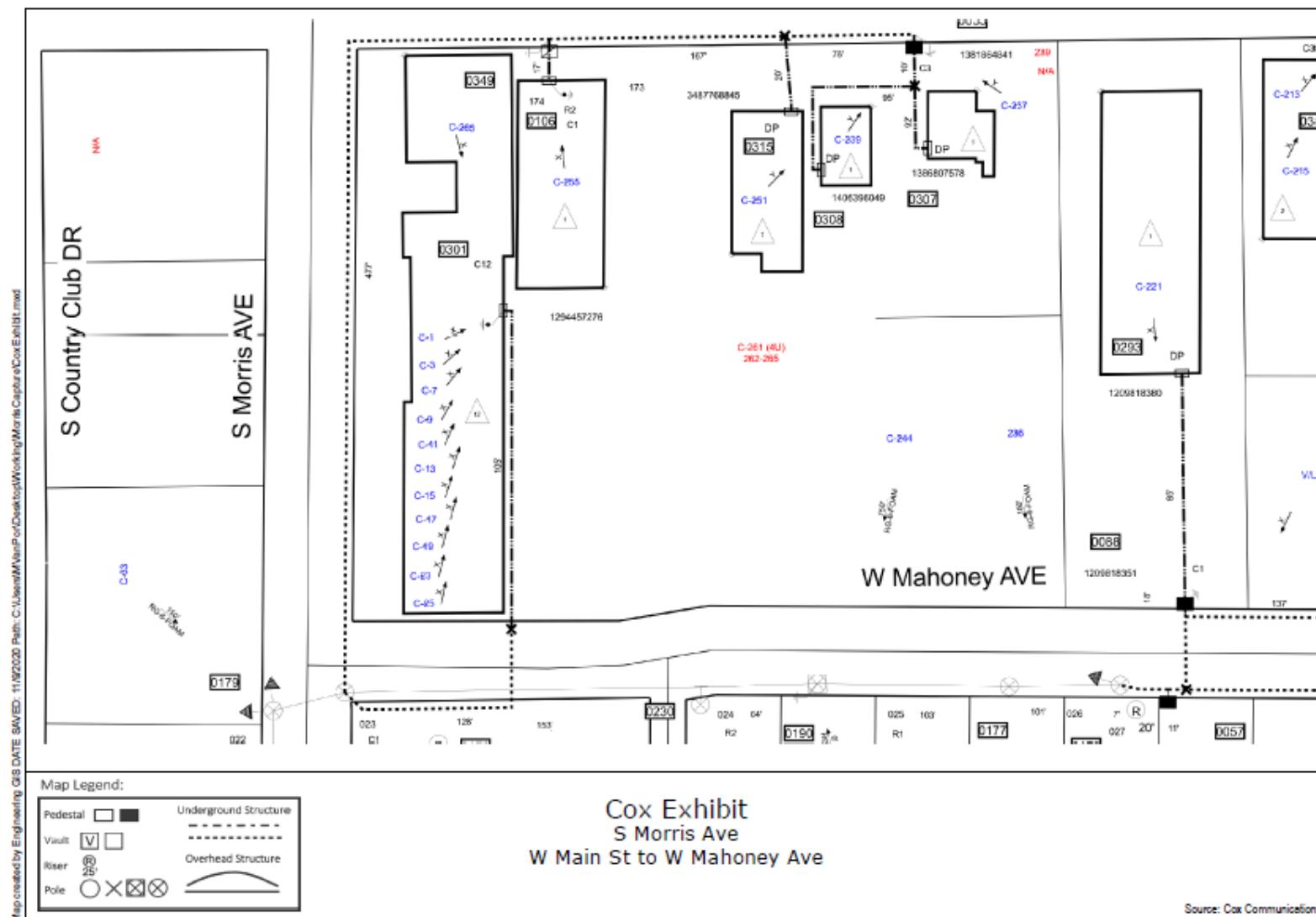
Transact Zones

- T6 Main Street (T6MS)
- T5 Main Street (T5MS)
- T5 Main Street Flex (T5MSF)
- T5 Neighborhood (T5N)
- T4 Main Street (T4MS)
- T4 Neighborhood Flex (T4NF)
- T4 Neighborhood (T4N)
- T3 Neighborhood (T3N)

Overlays

- Historic Downtown
- Special Planning Area

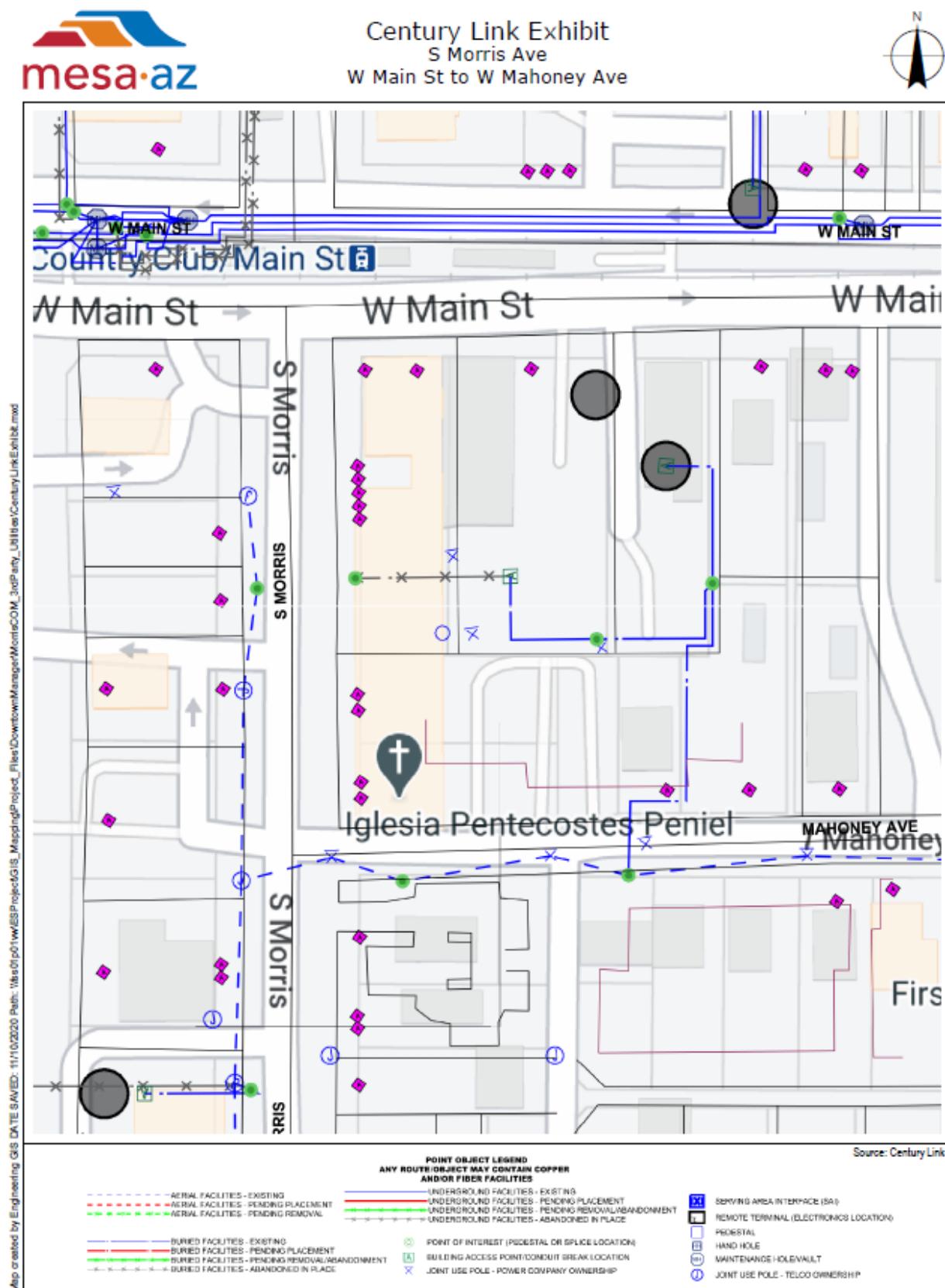
ATTACHMENT F
THIRD-PARTY UTILITIES – SOUTH MORRIS



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Source: Cox Communications

ATTACHMENT F
THIRD-PARTY UTILITIES – SOUTH MORRIS



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ATTACHMENT G
CITY UTILITIES – SOUTH MORRIS



G-Morris
Utilities.pdf

(Double Click Icon to Open)

ATTACHMENT H
MARKETING FLYER



Main&CCAssembla
ge_Brochure.pdf

(Double Click Icon to Open)