

**REQUEST FOR PROPOSALS  
FOR  
PRIVATE DEVELOPMENT DOWNTOWN WITH A  
PUBLIC PARKING STRUCTURE**

**THE CITY OF SIOUX FALLS**

**GUIDELINES AND REQUIREMENTS FOR SUBMITTAL**

**Request No. 15-0065**

Prepared by  
City of Sioux Falls  
Economic Development Division  
March 2015

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## **Section One—Introduction and Instructions**

### **1.01 Purpose of the RFP**

This Request for Proposal (RFP) is issued by the City of Sioux Falls (hereinafter referred to as the “City”). The purpose of this RFP is to enter into exclusive negotiations for a Development Agreement with a qualified offeror(s). The resulting Development Agreement from this RFP will require the awarded offeror(s) to construct private development in conjunction with a public parking structure, which may include the sale and/or lease of City-owned property.

### **1.02 Contact Person, Telephone, and Email**

Dustin Powers, Economic Development Coordinator, is the point of contact for this RFP. Unauthorized contact regarding the RFP with other City employees may result in the vendor being disqualified.

Dustin Powers, Economic Development Coordinator  
Community Development  
Phone: 605-367-8897  
Email: [dpowers@siouxfalls.org](mailto:dpowers@siouxfalls.org)

### **1.03 RFP Schedule of Events**

This schedule of events represents the City’s best estimate of the schedule that will be followed for this RFP. If a component of this schedule, such as the deadline for receipt of proposals is delayed, the rest of the schedule may be shifted.

The approximate RFP schedule is as follows:

- RFP Posted on City’s Website: March 5, 2015
- Letters of Interest Due: April 17, 2015
- Deadline for Submission of RFP Questions: April 17, 2015
- Proposals Due: May 1, 2015
- City Issues Notice of Selection: May 2015
- Proceed with Negotiation of Development Agreement: Summer 2015

### **1.04 Return Mailing Address and Deadlines for Receipt of Proposals**

Offerors must submit one (1) electronic copy and (9) nine hard copies of the proposals in sealed envelopes or packages.

Envelopes or packages containing proposals must be clearly addressed as described below to ensure proper delivery and to avoid being opened by the City before the deadline for receipt. Envelopes or packages must be addressed as follows:

City of Sioux Falls Purchasing Office  
Attention: Scott Rust  
Request for Proposals (RFP: Private Development Downtown)  
RFP No. 15-0065  
224 West Ninth Street  
P.O. Box 7402  
Sioux Falls, SD 57117-7402

Proposals must be received by the City at the location specified no later than **2 p.m., central time, on May 1, 2015**. Proposals will not be publicly read at the opening.

Offerors assume the risk of the method of dispatch chosen. The City assumes no responsibility for delays caused by any delivery service. Postmarking by the due date will not substitute for actual proposal receipt by the City. An offeror's failure to submit its proposal prior to the deadline will cause the proposal to be rejected.

Each proposal must include a complete set of answers to the proposal requirements (See Section 2.03).

#### **1.05 Amendments to the RFP**

If an amendment to this RFP is issued, it will be provided to all offerors that submitted a Letter of Interest. Amendments will also be posted on the project website ([www.siouxfalls.org/parkingramp](http://www.siouxfalls.org/parkingramp)) and the City's business page ([www.siouxfalls.org/business](http://www.siouxfalls.org/business)).

#### **1.06 Questions**

Questions regarding this RFP shall be submitted in writing to Dustin Powers, at [dpowers@siouxfalls.org](mailto:dpowers@siouxfalls.org). Answers to questions will be posted on the project website ([www.siouxfalls.org/parkingramp](http://www.siouxfalls.org/parkingramp)) and the City's business page ([www.siouxfalls.org/business](http://www.siouxfalls.org/business)) within a timely manner. The deadline for RFP questions is **2 p.m. central time, April 17, 2015**.

#### **1.07 Notice Provided**

The Request for Proposals and any amendments to the RFP will be posted on the following webpages: [www.siouxfalls.org/parkingramp](http://www.siouxfalls.org/parkingramp) and [www.siouxfalls.org/business](http://www.siouxfalls.org/business).

#### **1.08 Letter of Interest**

**A Letter of Interest is not required if already submitted as part of the Request for Expression of Interest (RFEI) that was issued on November 19, 2014.**

Submission of a Letter of Interest is not a requirement for submitting a proposal to this RFP. Firms interested in receiving any notices related to this RFP are required to contact the Economic Development Coordinator at [dpowers@siouxfalls.org](mailto:dpowers@siouxfalls.org) with the name of their firm, contact person, mailing address, telephone number, and email address. The sole purpose of the Letter of Interest is to provide the City with a contact person to receive any notices, including amendments related to the RFP. The City must receive the Letters of Interest from the firms by **April 17, 2015**.

## **Section Two—Project Scope**

### **2.01 Introduction**

The City intends to build an aesthetic public parking structure to meet the current and future demand within the public parking system and support economic development within downtown Sioux Falls. The City desires to have complementary private development as part of the parking structure development and is requesting proposals for that private development. The City intends to award exclusive negotiation rights to one or more qualified offerors whose qualifications and proposal are deemed to be the most viable and advantageous to the City. Proposals determined to meet the requirements of this RFP and those providing the best value to the City will be given consideration. Any proposals that are deemed to be nonconforming to the stated requirements may be rejected. Therefore, offerors submitting proposals shall use particular care in reviewing the RFP requirements as set forth in this document.

### **2.02 Acceptable Site Locations**

The offeror is responsible for identification of the property on which the private development in conjunction with a public parking structure will be constructed. Your proposal can be for any privately owned site that is located within the high-demand parking area as defined by Exhibit A. Proposals outside of the high-demand parking area defined in Exhibit A will not be accepted for this RFP.

The City is willing to consider a lease and/or sale of all or a portion of property [110 South Mall Avenue], as defined by the aerial depiction in Exhibit B, as one possible qualified site for this project. This site is the only “city-owned” property that should be considered as an option for the development project, and will be made available “as-is.” The development including the parking structure may be partially or entirely within the boundaries defined in Exhibit B. Additional information regarding this site can be found on the project website ([www.siouxfalls.org/parkingramp](http://www.siouxfalls.org/parkingramp)).

### **2.03 Proposal Requirements**

Offerors can assume that the parking structure will be funded, constructed, and operated by the City. Thus, proposals should focus on the complementary private development to go along with the parking structure. However, the City is open to proposals that offer to construct and operate the parking ramp privately, provided that parking spaces will be available to the public for lease.

The proposal should address:

- a) The specific site(s) and parcel(s) proposed for the combined development. If the proposed site is other than the City-owned site [110 South Mall Avenue], the offeror must identify how control of the site(s) and parcel(s) will be acquired.
- b) The type or types of private development proposed, the approximate size, the preferred placement on the site, preferred orientation with the parking structure (e.g. stacked, wrapped, or separate footprint), and the preferred exterior materials for the private portion. Note that this response does not require full design development, but the concept plan should be developed sufficiently for the evaluation committee to judge the proposal’s site orientation, anticipated exterior materials, and general viability.

- c) Anticipated number of net parking spaces that will be added to the public parking system. General requirements for parking design criteria have been provided by the City in Exhibit C.
- d) Anticipated lease rates and/or selling prices for the private development.
- e) Analysis of downtown Sioux Falls' market demand for the proposed use(s), basis for that demand, and why the proposed use(s) will be successful.
- f) Examples of similar developments that the offeror has successfully implemented.
- g) The parking stalls required for the private use(s) and whether some or all of the required spaces must be separately accessed, reserved, or specially sized.
- h) Preferred automobile ingress/egress from surrounding streets.
- i) Potential impact of the proposed use(s) on neighboring properties and potential ideas for coordination (such as a skywalk) of design with surrounding buildings.
- j) The anticipated budget for the proposed private development.
- k) The projected sources and uses for the private development, included anticipated capital and financing sources, and the anticipated terms of the financing sources. Where applicable, please provide evidence of qualification for anticipated financing (e.g., lender's letter of support/interest).
- l) The projected schedule for the private development including time for design, financing, approvals, bidding, construction and lease up, or sale of the developed property. Also please identify whether any portions of the proposed private development will be staged or staggered in time.
- m) Key contingencies and unknowns affecting the proposed private development (e.g., site assembly, financing, regulatory approvals, street vacation, preleasing, utilities, current occupant relocation, etc.).
- n) The proposed team for the private development, the team leader, biographies for key team members, and relevant experience for team members and firms.
- o) The offeror's preference to specify the design firm, engineering firm, and/or general contractor for the private development—or—whether the offeror is open to joint selection of single source providers for one or more of those functions.
- p) Other assistance, insight, or coordinated efforts that the offeror will need from the City to support success of the private development.

A complete proposal package will address each of the above items.

## **2.04 Public Finance Incentives**

The project may be eligible for:

Discretionary tax abatement consistent with South Dakota law and City ordinances. Applications for this program are available in Community Development, 100 South Dakota Avenue, Suite 100.

Tax Increment Financing (TIF) has been used within the downtown area (subject to City Council approval). The City would consider utilizing positive increment from this project for the construction of public improvements. Guidelines for the use of TIF are available in Community Development, 100 South Dakota Avenue, Suite 100.

## **2.05 Construction Timing**

The City's objective is to have an operating parking structure by the end of 2017. Please indicate whether the proposal anticipates simultaneous construction of the public parking structure and the private development or whether it may be possible to commence parking construction in advance of the private portion.

## **2.06 Due Diligence**

It is expected that each offeror, at the offeror's expense, will conduct its own research, analysis and due diligence needed to submit a proposal, negotiate, and sign a Development Agreement. Background materials provided by the City are believed to be accurate but should be verified by the offeror.

Answers to questions of general applicability to all proposers as well as background materials pertinent to this project will be posted on the project website ([www.siouxfalls.org/parkingramp](http://www.siouxfalls.org/parkingramp)) and updated from time to time.

## **Section Three—General Award and Contract Information**

### **3.01 Award**

The City intends to enter into exclusive negotiations for a Development Agreement with the selected offeror(s). The timing of the negotiations is anticipated to commence upon award and continue for a period of months depending upon the complexity of the proposed development. The City may forego any delays for reasonable cause. Either the City or the awarded offeror may terminate the Development Agreement negotiations at any time, although the City may require the awarded offeror to provide a good-faith deposit or other evidence of commitment in pursuit of a Development Agreement.

Note that the Design and Construction Delivery Method(s) will be negotiated as part of the Development Agreement. The City is committed to construction delivery methods that best balance state and regulatory requirements with best value, economies of scale, efficiencies, and coordination of the public/private development. Proposals need not specify the contractual format for design or construction delivery unless the offeror requests that it be a condition of the proposal.

### **3.02 Contract Type**

Following successful negotiation of terms, it is anticipated that the City and the private developer will enter into a Development Agreement that will reflect necessary public approvals as well as key milestones for the private portion of the development including completion of design, commencement of construction, and completion of construction.

### **3.03 Proposal as a Part of the Contract**

Part or all of this RFP and the successful proposal may be incorporated into the Development Agreement.

### **3.04 Additional Terms and Conditions**

The City reserves the right to add, delete, or modify terms and conditions during contract negotiations. These terms and conditions will be within the scope of the RFP and will not affect the proposed evaluations.

### **3.05 Supplemental Terms and Conditions**

Proposals, including supplemental terms and conditions, will be accepted, but supplemental conditions that conflict with those contained in this RFP, or that diminish the City's rights under any contract resulting from the RFP, will be considered null and void. The City is not responsible for identifying conflicting supplemental terms and conditions before issuing a contract award. After award of contract:

- a) If conflict arises between a supplemental term or condition included in the proposal and a term or condition of the RFP, the term or condition of the RFP will prevail; and
- b) If the City's rights would be diminished as a result of application of a supplemental term or condition included in the proposal, the supplemental term or condition will be considered null and void.

### **3.06 Contract Approval**

This RFP does not, by itself, obligate the City. The City's obligation will commence upon execution of the Development Agreement.

### **3.07 Proposal Guaranty**

At the time of award of exclusive negotiation rights, the City may, at its own discretion, require a performance security in the amount of \$10,000. The offeror shall demonstrate in the proposal an ability to meet any such security requirement. Acceptable forms of security include, but are not limited to security bond, certified check, cashier's check, or bank draft.

## **Section Four—Evaluation Criteria and Developer Selection**

**The total number of points used to score this RFP is 100**

### **4.01 Minimum Requirements**

Any proposal submitted as part of the RFP must meet the minimum requirements of being located within the high-demand area as defined in Exhibit A, and supply a minimum of 300 net public parking spaces.

**(Net public parking spaces = parking spaces supplied (structure)—existing parking spaces.)**

#### **4.02 Selection Criteria**

- a) Net public parking spaces gained. *15 points*
- b) Functionality of the parking facility including ingress/egress, security, and operation with surrounding street traffic. *15 points*
- c) Aesthetic potential and appeal of the proposed development and its complementary nature of the proposed project with neighboring properties. *20 points*
- d) Experience, structure, and leadership of the proposing team. *15 points*
- e) Financial benefit to the public parking system (any offered purchase price and/or lease terms will not be factored into this score). *10 points*
- f) Overall feasibility of proposed development including demand for the proposed use(s), sizing, and timing. *15 points*
- g) Proposer's capital and financing source(s). *10 points*

#### **4.03 Evaluation Committee**

The evaluation committee will consist of the Director of Community Development, the Economic Development Manager, the Public Parking Manager, the Director of Planning and Building Services, the Assistant Director of Finance, the Downtown Sioux Falls, Inc. President, the Chief Project Manager, the Principal Traffic Engineer, and a City Council Member.

The City shall have the final authority and discretion to make a selection based upon the qualifications and proposals, responsibility and capabilities of respondents, and other factors. Any decision by the City shall be final.

#### **4.04 Proposal Evaluation and Interviews**

Upon review of the proposals, the City will score the proposals and may short list and interview the highest ranking proposals in order to develop a final score. Upon completion of the interviews, the highest ranking proposal may be asked to enter into development contract negotiations with the City. If an agreement cannot be reached with the highest-ranked proposal, the City may suspend negotiations and move to negotiations with the next highest-ranked proposal. The same process may be repeated with the other ranked proposals if no such agreement can be reached. The City reserves the right to not select a proposal as part of this process if an agreement cannot be reached or for any other reason.

## **Section Five—Proposal Format and Content**

### **5.01 *Proposal Format and Content***

The City discourages overly lengthy and costly proposals; however, in order for the City to evaluate proposals fairly and completely, offerors must follow the format set out in this RFP and provide all information requested. The offeror's proposal shall include a point-by-point response for each paragraph in this RFP.

### **5.02 *Introduction***

Proposals must include the complete name and address of offeror's firm and the name, mailing address, and telephone number of the person the City should contact regarding the proposal.

Proposals must confirm that the offeror will comply with all provisions in this RFP. The proposal must disclose any instances where the firm or any individuals working on the contract has a possible conflict of interest and, if so, the nature of that conflict.

Proposals must be signed by a company officer empowered to bind the company. The offeror's failure to include these items in the proposals may cause the proposal to be determined to be nonresponsive and the proposal may be rejected.

### **5.03 *Selection Basis***

Offerors must provide a comprehensive response to the information requested in Section 2.03. Responses must be in the same sequence as they appear in Section 2.03. If necessary, an offeror must provide supporting narrative and documentation when required in response to the requirements of this section.

## **Section Six—Standard Proposal Information**

### **6.01 *Authorized Signature***

An individual authorized to bind the offeror to the provisions of the RFP must sign all proposals.

### **6.02 *City Not Responsible for Preparation Costs***

The City will not pay any cost associated with the preparation, submittal, presentation, or evaluation of any proposal.

### **6.03 *Conflict of Interest***

Offerors must disclose any instances where the firm or any individuals working on the contract has a possible conflict of interest and, if so, the nature of that conflict (e.g., employed by the City). The City reserves the right to cancel the award if any interest disclosed from any source could either give the appearance of a conflict or cause speculation as to the objectivity of the offeror's proposal. The City's determination regarding any questions of conflict of interest is final.

#### **6.04 Offeror's Certification**

By signature on the proposal, the offeror certifies that it complies with:

- a) The laws of the state of South Dakota.
- b) All applicable local, state, and federal laws, codes, and regulations.
- c) All terms, conditions, and requirements set forth in this RFP.
- d) A condition that the proposal submitted was independently arrived at, without collusion.
- e) A condition that the offer will remain open and valid for the period indicated in this solicitation; and any condition that the firm and/or any individuals working on the contract do not have a possible conflict of interest (e.g., employed by the City).

If any offeror fails to comply with the provisions stated in this paragraph, the City reserves the right to reject the proposal, terminate the contract, or consider the contractor in default.

#### **6.05 Offer Held Firm**

Proposals must remain open and valid for at least 60 days from the deadline specified for submission of proposals.

#### **6.06 Amendments to Proposals and Withdrawals of Proposals**

Offerors may amend or withdraw proposals prior to the deadline set for receipt of proposals. No amendments will be accepted after the deadline unless they are in response to the City's request. After the deadline, offerors may make a written request to withdraw proposals and provide evidence that a substantial mistake has been made. The procurement manager may permit withdrawal of the proposal upon verifying that a substantial mistake has been made, and the City may retain the offeror's proposal guaranty or other type of proposal security, if one was required.

#### **6.07 Alternate Proposals**

Offerors may not submit alternate proposals for evaluation.

#### **6.08 Joint Ventures**

Joint ventures are acceptable. If submitting a proposal as a joint venture, the offeror must submit a copy of the joint venture agreement that identifies the principles involved and its rights and responsibilities regarding performance and payment. Joint ventures submitting proposals must establish that contractual responsibility rests solely with one company or one legal entity. Each submittal should indicate the entity responsible for execution on behalf of the joint venture.

## **6.09 Evaluation of Proposals**

All proposals will be reviewed to determine if they are responsive to the requirements of this solicitation. An evaluation committee will evaluate responsive proposals. The evaluation will be based solely on the evaluation factors set forth in this RFP. The evaluation will consider information obtained subsequent to any discussions with offerors determined to be reasonable for award and any demonstrations, oral presentations, or site inspections, if required in this RFP.

## **6.10 Right of Rejection**

The City reserves the right to reject any proposals in whole or in part. Proposals received from debarred or suspended firms will be rejected. The Purchasing Division may reject any proposal that is not responsive to all of the material and substantial terms, conditions, and performance requirements of the RFP.

The Purchasing Division may waive minor informalities that:

- a) Do not affect responsiveness.
- b) Are merely a matter of form or format.
- c) Do not change the relative standing or otherwise prejudice other offers.
- d) Do not change the meaning or scope of the RFP.
- e) Are insignificant, negligible, or immaterial in nature.
- f) Do not reflect a material change in the work.
- g) Do not constitute a substantial reservation against a requirement or provision.

The City reserves the right to reject any proposal determined to be nonresponsive and to reject the proposal of any offeror determined to be nonresponsive. The City also reserves the right to refrain from making an award if it determines it to be in its best interest.

## **6.11 Clarification of Offers**

In order to determine if a proposal is reasonably amenable for award, communications by Community Development or the proposal evaluation committee are permitted with any offeror to clarify uncertainties or eliminate confusion concerning the contents of a proposal and determine responsiveness to the RFP requirements. Clarifications may not result in a material or substantive change to the proposal. The initial evaluation may be adjusted because of a clarification under this section.

## **6.12 Contract Negotiation**

After final evaluation, the City intends to negotiate with the highest-ranked proposal(s). Negotiations, if held, will be within the scope of the request for proposals and limited to those items that would not have an effect on the ranking of proposals.

If contract negotiations are commenced, they will be held at City Hall, 224 West Ninth Street, Sioux Falls, SD—a date and time to be determined.

If contract negotiations are held, the offeror will be responsible for all costs including its travel and per diem expenses.

### **6.13 Failure to Negotiate**

If the selected offeror:

- a) Fails to provide the information required to begin negotiations in a timely manner.
- b) Fails to negotiate in good faith.
- c) Indicates it cannot perform the contract within the budgeted funds available for the project.
- d) If the offeror and the City, after a good-faith effort, cannot come to terms.

The City may terminate negotiations with the highest-ranked offeror and commence negotiations with the next highest-ranked offeror.

### **6.14 Special Conditions**

Excluding proprietary information, the proposal of the firms awarded the exclusive negotiation rights are deemed public records and will be available once negotiations have concluded. In addition, the City shall maintain a “Register of Proposals” which shall contain the names of firms who submitted a proposal and the name of the firm who was awarded the contract; however, the proposals of the submitting firms not chosen for negotiation are nonpublic records and will remain confidential.

## **Section Seven—Attachments**

### **7.01 Attachments**

The exhibits noted above are attached.

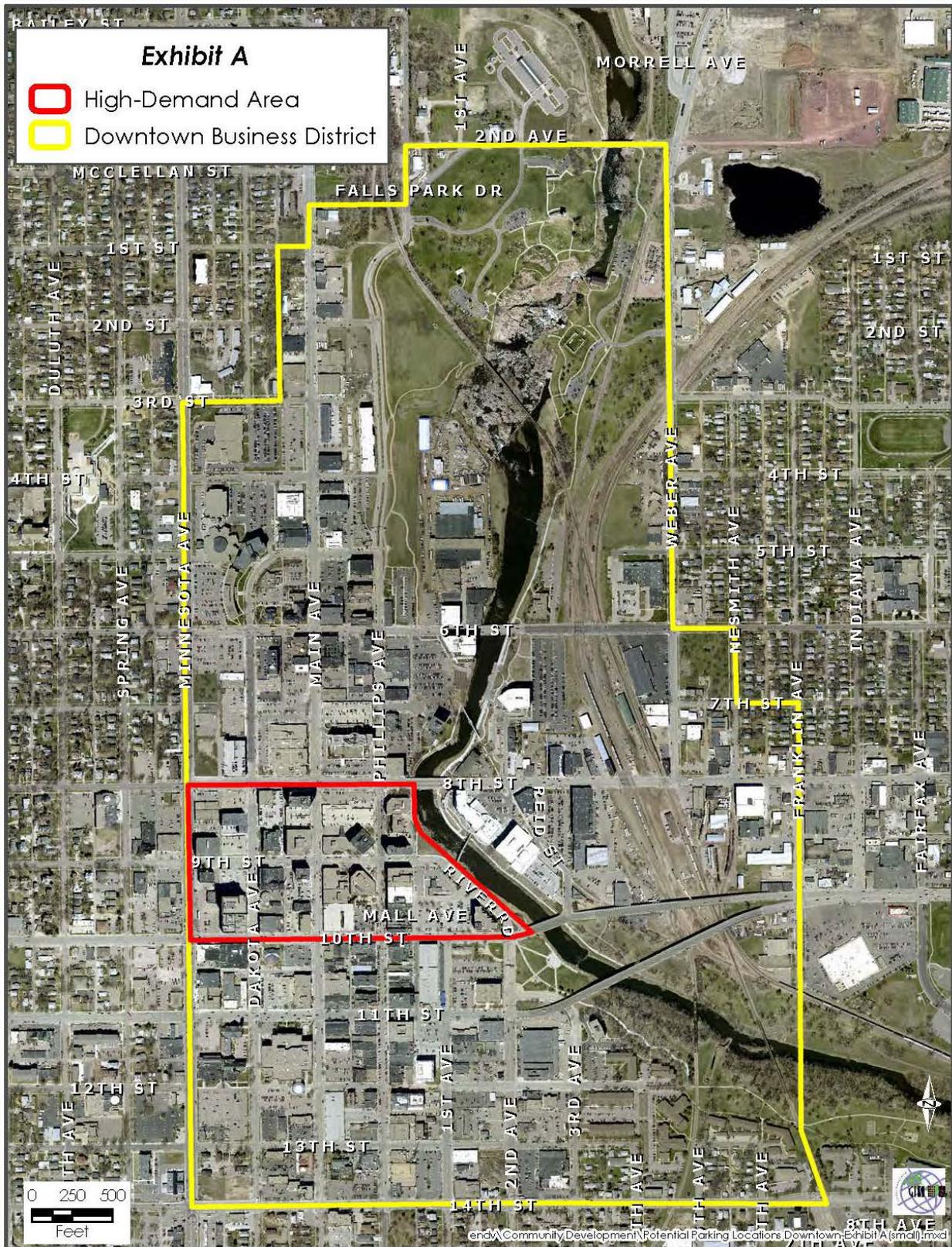
**Attachment 1**

**Evaluation Summary**

Name of RFP:	
RFP Number:	
Vendor Being Evaluated:	
Evaluator's Names:	
Date:	

RFP Technical Evaluation (Maximum 100 Points)	Maximum Points by Category	Score
<b>Selection Criteria</b>		
1. Net public parking spaces gained.	15	
2. Functionality of the parking facility including ingress/egress, security, and operation with surrounding street traffic.	15	
3. Aesthetic potential and appeal of the proposed development and its complementary nature of the proposed project with neighboring properties.	20	
4. Experience, structure, and leadership of the proposing team.	15	
5. Financial benefit to the public parking system.	10	
6. Overall feasibility of proposed development including demand for the proposed use(s), sizing, and timing.	15	
7. Proposer's capital and financing source(s).	10	
<b>RFP Total</b>		

# Exhibit A





## Exhibit C

### Exhibit C PARKING DESIGN CRITERIA CITY OF SIOUX FALLS, SD



21-4074.00

#### GENERAL REQUIREMENTS

1. All stalls shall be painted to allow for a minimum stall width of 9'-0".
2. Parking bays shall have minimum clear dimensions measured from wall to wall. The following minimum stall size and bay width for parking bays with on both sides of the drive aisle shall have the following minimum dimensions:

Stall Width =	9' - 0"	
Angle of Park	Min. Aisle (ft.)	Module (ft.)
45°	14' - 0"	48' - 10"
50°	14' - 3"	50' - 3"
55°	14' - 8"	51' - 6"
60°	15' - 6"	53' - 0"
65°	16' - 5"	54' - 3"
70°	17' - 6"	55' - 6"
75°	18' - 10"	56' - 6"
90°	25' - 0"	60' - 6"

Columns shall not intrude more than 2'-0" into parking spaces.

3. Drive aisles shall maintain functional use at turning bays. Turning bays shall provide a minimum of:
  - a. Two-way traffic with 90-degree spaces: 28'-6" clear between columns (two-lanes, concentric turning)
  - b. One-way traffic with angled spaces: minimum of 16'-6" clear between columns (one lane) or the drive aisle width.
4. Accessible spaces shall be provided as required by standards established by the Americans with Disabilities Act Standards for Accessible Design. Van accessible spaces shall be provided at a ratio of 6:1.
5. Typical clearance for vehicles shall be 8'-2" clear minimum. Recommended floor-to-floor height shall be 11'-4" and be coordinated to respect adjacent buildings or skyways.
6. Parking areas shall not exceed 6.5% slope.
7. Entrance ramps and other non-parking floors shall not exceed 12% slope.

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