

Commissioners of the Land Office

**REQUEST FOR PROPOSALS
FOR DEVELOPMENT OF PRIME
MIXED USE LAND SITE
NET 12.7 ACRES +/-**

**NE and NW CORNERS of NE 36th and LINCOLN BLVD.
OKLAHOMA CITY
OKLAHOMA**

**Proposals must be received before 11:01 a.m. CST
November 30, 2018**

Submit Proposals to:

Commissioners of the Land Office
204 N. Robinson, Suite 900
Oklahoma City, Oklahoma 73102

Issued on Sept. 19, 2018, by The Commissioners of the Land Office
(405) 521-4000

Announcement of Request for Proposals

The Commissioners of the Land Office (CLO) is seeking proposals from qualified real estate developers or end users for the development of all or part of a prime mixed-use land site containing 12.7 net acres, more or less, located at the NE and NW corners of NE 36th and Lincoln Blvd. in Oklahoma City, Oklahoma. It is the intention of the CLO to sell or ground lease this land to the best qualified developer who provides the best overall proposal for developing the land and providing the highest monetary return to the CLO.

Copies of the brochure announcing the Request for Proposals can be obtained from:

Robinson Park
C/o Mark Beffort
204 N. Robinson, Suite 700
Oklahoma City, Oklahoma 73126

Comments and questions concerning the Request for Proposals should be addressed to Mr. Beffort. A pre-proposal conference will be held on Wednesday, September 19, 2018, the follow up will be Wednesday, October 17, 2018 and the final meeting prior to submission will be held Wednesday, November 14, 2018, all at 2:00 pm CST in the conference room of the Robinson Park, Suite 700, 204 N. Robinson, Oklahoma City, Oklahoma, 73102. Attendance at the pre-proposal conference is not mandatory, but all prospective developers are urged to attend. An overview of the property and the process and will respond to questions from prospective developers.

Responses to the Request for Proposals must be received by the CLO **before** 11:01 a.m. CST on Friday, November 30, 2018. The CLO reserves the right to reject any and all responses.

I. RFP TIME LINE

Availability of RFP Friday, August 31, 2018

Initial Information Meeting1:00 PM Wednesday, September 19, 2018

Follow up Meeting..... 1:00 PM Wednesday, October 17, 2018

Final Meeting Prior to Submission 1:00 PM Wednesday, November 14, 2018

Proposal Due...11:01 AM Friday, November 30, 2018

Immediately following the Proposal Due Date, an evaluation committee made up of staff members of the CLO and Robinson Park will evaluate the proposals. The Evaluation

Committee will make recommendations for final disposition to CLO board.

The CLO reserves the right to modify the RFP timeline with notice, but the Proposal Due Date will not be earlier than Friday, November 30, 2018.

II. NOTICE OF SALE OF STATE OWNED LAND

The State of Oklahoma ex rel. Commissioners of the Land Office (CLO) shall offer for sale through an Request for Proposal the previously described School Trust Land. Said Request for Proposal shall be presented and closed, according to the schedule in this brochure and subject to the following terms and conditions:

All bidders are required to submit a bid detailing their proposal with the following information: 1) Entity and principals involved 2) Principles experience with such development 3) Description of parcel(s) to be acquired 4) Purchase price per tract and earnest money to be paid 5) Timing for inspections and closing 6) Conceptual plans for the property. The CLO will determine the highest and best bid based upon the submitted proposals. The land cannot be sold for less than the appraised value. The CLO reserves the right to reject any and all bids and no bid is finally accepted until approved by the Commissioners. The land is sold "as is, where is" and is subject to all easements, rights of way and restrictions of record. Prospective bidders are advised to inspect the land before the sale. All acres are approximate. The State of Oklahoma does not warrant title to the land. The State reserves and retains all minerals and mineral rights.

The closing shall be set and possession delivered upon Commission approval of sale, receipt of full payment for land, as well as compliance with notice of sale. When all payments are received, the CLO will issue a Quit Claim Deed to the land. See Exhibit A attached to this RFP solicitation for a complete legal description of the three (3) tracts of land offered for Sale.

Announcements and corrections at time of auction may supersede this notice.

This notice is dated this 31st day of August, 2018.

Commissioners of the Land Office
State of Oklahoma
By: Harry W. Birdwell, Secretary

CLO reserves the right in its sole and absolute discretion to (a) accept or reject any and/or all proposals or other submissions in response to this RFP; (b) waive irregularities, technicalities or non-conformance in connection with any proposal; and (c) accept any alternative submission or proposal which, in CLO's opinion, would best serve the interests of CLO.

General Conditions

Any questions or requests for interpretation, clarification, or additional information relating to the RFP must be made in writing to CLO by Wednesday, October 17, 2018.

CLO is not responsible for any oral interpretations or information given by any CLO employee or any other person. CLO will attempt to notify all prospective developers who have expressed interest in the (site description) to CLO of any changes to the RFP. **It is the responsibility of each developer to contact Dan Hake at the CLO at (405) 521-4011 prior to submission of any proposal to determine if changes or addenda to the RFP have been issued.**

Any submission of proposals may be withdrawn up until the date and time for opening of the submissions. **Any submission not so withdrawn shall, upon opening, constitute an irrevocable offer for a period of one hundred and twenty (120) days to CLO for the development set forth in the Request for Proposals.**

Subsequent to the Evaluation Committee's review, approval by the CLO will be required before the final contract may be executed to the successful respondent.

III. Scope of Proposal Documents

Each developer must submit (a) five (5) copies of a detailed written proposal (8 1/2" x 11" paper) and a digital copy as well which includes the information described below and (b) five (5) copies of the plans described below.

A. Proposal

1. Acreage. Detailed description of the land being bid upon by the respondent.

2. Plan of Development. The proposal must show how the developer plans to develop the proposed site. In addition to the 8 1/2" x 11" copies found in the written proposal, the proposed layout of the property and all roads and necessary infrastructure, etc. must be shown as part of the proposal. These Plans will be used during committee and public review. The proposal must include a master plan showing the site plan for the proposed development.

The Plan of Development must show:

- a. The generalized layout of the proposed development depicting the quality, size and footprints of retail, office or hotel, locations of sidewalks, roadways, landscaping, areas devoted to common use;
- b. Illustrations of the proposed commercial sites using elevations, rendered drawings or photographs of comparable projects, and a description of the building materials;

3. Schedule. The proposal must include the development schedule, including without limitation, any proposed contingency period, estimated date of commencement of construction, estimated date of completion of construction and estimated opening date. If the proposal includes development of multiple components, the schedule should be shown for each component.

4. Financing. The proposal must include the proposed method of financing the development. If the proposal is contingent upon financing, the proposal must specifically state that contingency, including the estimated cost of the development, the percentage of the estimated development cost for which financing will be obtained and the time frame for obtaining that financing. The proposal must also include any history of the developer in obtaining comparable financing for comparable projects (including the name of the financier and the name of the project).

5. Sale or Lease Terms. The proposal must include the proposed terms for either purchase of the fee title or of a ground lease for the site. Any proposal submitting a bid less than the following market values for the land shall not be considered.

Tract A – 9.6213 acres \$2,070,000.00

Tract B – 3.3721 acres \$700,00.00

Tract C – 1.1745 acres \$450,000.00

B. Developer Information

1. Development Entity. Provide the legal name, type of entity, address, telephone number and contact person for the developer. Identify all owners of a 5% or greater ownership interest in the proposed development (If the Developer is chosen for this development, the Developer shall immediately notify the CLO in writing of any changes in the ownership).

2. Development Team. Provide the names and addresses of all members of the development team who have been identified at the time of submission of the proposal. This should include the individual(s) who will serve as project manager (s) for the project. Provide background information and experience for each team member.

3. Experience. Provide a statement of the developer's experience in developing projects similar to the proposed project. Include a description of any mixed-use development projects that include retail, office or hotel use areas. For similar projects, include the name of the project manager, scope of work, timetable, estimated/actual cost and percent of work for which the developer was responsible.

4. Legal Matters. Provide a statement as to whether the developer or any officer, owner, principal employee, subsidiary or affiliate of the developer has been adjudged bankrupt, either voluntary or involuntary, or has been convicted of a felony, in either case, within the last 10 years. Additionally, provide a statement as to whether the developer or any officer, owner, principal employee, subsidiary or affiliate of the developer has been involved in any prior development construction related litigation or claims.

5. Pending Litigation. Provide a summary of any pending lawsuits, unsatisfied judgments and/or judgment liens currently filed against the developer or any officer, owner, principal, employee, subsidiary or affiliate of the developer.

6. Sovereign Entity. Due to the need to protect the Trust managed by the CLO, in the event any sovereign entity (State, Nation, Tribe, Country, etc.) should be the successful bidder on this RFP, then the CLO will require certain waivers of sovereignty to protect its interests.

7. Compliance. The development must comply with all applicable laws and regulations. Any architects, contractors or other professionals involved in the project must be duly licensed by the State of Oklahoma at all times during the project and must submit evidence of compliance.

8. Discrimination. The developer and its contractors, subcontractors and other firms involved in the development must comply with the President's Executive Order No. 11246 and 11375, which prohibit discrimination in employment regarding race, color, religion, sex or national origin. Firms must also comply with Title VI of the Civil Rights Act of 1964, Copeland Anti-Kick Back Act, the Contract Work Hours and Safety Standards Act, Section 402 of the Vietnam Veterans Adjustment Act of 1974, Section 503 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, all of which are herein incorporated by reference.

C. Evaluation of Proposals

1. Evaluation Committee. The Evaluation Committee in accordance with the evaluation criteria described below will review all qualified proposals received by the proposal deadline. Proposals will be subject to public review.

2. Interviews. The Evaluation Committee may elect to conduct interviews with one or more developers. Representatives of the Evaluation Committee may contact developers to request clarification or additional information to enable the Evaluation Committee to fully understand the proposal. Representatives of the Evaluation Committee may also request additional material, documents, information, and references from the developer, including financial and tenant information. Developers must be available to meet with representatives of the Evaluation Committee in Oklahoma City, Oklahoma within a reasonable time after notification.

3. Agreements. After completion of review and evaluation of any proposals and any information and proposals subsequently submitted, the Evaluation Committee will recommend one developer to the Commissioners of the Land Office.

4. Evaluation Criteria. Proposals will be initially analyzed and evaluated to the following evaluation criteria. The maximum score for a proposal is 100 points. The Evaluation Committee will recommend the proposal that provide the greatest overall benefit to CLO, which may or may not be the proposal that receives the highest score.

Section A - Design (10 points)

- a. Quality and scope of master site plan

- b. Consistency of proposal including services, amenities and mix of uses which are included in the proposal
- c. The design, appearance and appropriateness of the proposed development in the context of the surrounding area
- d. Type of building design proposed

Section B - Economic and Related Impact (75 points)

- a. The proposed sale or lease terms for the property

Section C - Financial Abilities and Project Execution (15 points)

- a. Proposed method of financing the development
- b. Developer's experience in comparable developments
- c. Financial strength of developer
- d. Litigation history
- e. Project schedule for development and completion of construction

IMPORTANT: Five (5) identical copies are to be submitted.

Please complete the following:

Legal Name of Developer: _____

Address: _____

Telephone Number: _____

Fax Number: _____

Contact Person: _____

Signature: _____

Name of Signer: _____

Title of Signer: _____

Email: _____

Non-Collusion Affidavit

STATE OF OKLAHOMA)
) ss.
COUNTY OF _____)

_____, of lawful age, being first duly sworn, on oath says:

1. He/She is the duly authorized agent of _____, the contractor under the contract which is attached to this statement, for the purpose of certifying the facts pertaining to the giving of things of value to government personnel in order to procure said contract;

2. He/She is fully aware of the facts and circumstances surrounding the making of the contract to which this statement is attached and has been personally and directly involved in the proceedings leading to the procurement of said contract; and

3. Neither the contractor nor anyone subject to the contractor's direction or control has paid, given or donated or agreed to pay, give or donate to any officer or employee of the State of Oklahoma any money or other thing of value, either directly or indirectly, in procuring the contract to which this statement is attached.

4. He/She is the _____ of _____, the developer that has submitted the attached proposal (the "Proposal").

5. He/She is fully informed respecting the preparation and contents of the attached Proposal and of all pertinent circumstances respecting such Proposal.

6. Such Proposal is genuine and is not a collusive or sham Proposal.

7. Neither the developer nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly, with any other vendor, firm or person to submit a collusive or sham proposal in connection with the contract or agreement for which the attached Proposal has been submitted or to refrain from making a proposal in connection with such contract or agreement, or collusion or communication or conference with any other firm, or, to fix any overhead, profit, or cost element of the proposal price or the proposal price of any other firm, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against CLO, or any person interested in the proposed contract or agreement.

8. The development and transactions outlined in the Proposal are not tainted by collusion, conspiracy, connivance, or unlawful agreement on the part of the developer or any of its agents, representatives, owners, employees, or parties including this affiant.

9. Neither the developer nor any of its officers, partners, owners, agents,

representatives of parties in interest, including this affiant, has directly or indirectly contacted any member of the Evaluation Committee or the CLO board in regard to this Proposal.

Developer: _____

Signed: _____

Title: _____

Subscribed and sworn to before me this ____ day of _____, 20 ____.

Notary Public: _____

My Commission expires:

Exhibit "A"

Tract A

Location: Northeast Corner of NE 36th and North Lincoln Boulevard.

Legal Description: The South Half (S/2) of the West Half (W/2) of the Southwest Quarter (SW/4) of the Southeast Quarter (SE/4) of Section 15, Township 12 North Range 3 West of the Indian Meridian, less and except a tract described as follows: Beginning 457 feet North and 50 feet West of the Southwest Corner of Block 4, Oklahoma Heights Addition, Thence North 149 feet more or less to the South Line of NE. 38th Street, thence West 100 feet; thence South 149 feet; thence East 100 feet to the point of beginning.

Area: Said described tract of land contains a gross area of 419,106 square feet or 9.6213 acres, more or less. Approximately 62,271 square feet or 1.4295 acres, more or less, is within statutory and street rights-of-way.

Tract B

Location: West side of North Lincoln Boulevard, running the full block from NE. 37th to NE. 38th. Less platted alley.

Legal Description: West 3.3 feet of Lot 1, all of Lots 2 through 47, both inclusive, and West 3.3 feet of Lot 48, Block 5, Irvington Addition to the City of Oklahoma City, Oklahoma County, Oklahoma, according to the plat recorded in Book 7 of Plats, Page 67.

Area: Said described tract of land contains an area of 146,888 square feet or 3.3721 acres, more or less.

Tract C

Location: Two parcels. Parcel one is located Northeast Corner of NE 36th and North Lincoln Boulevard; Parcel two is located at the Southwest Corner of NE 37th and North Lincoln Boulevard.

Legal Description: Parcel 1 – The west 3 Ft of Lot 1 and all Lots 2 through 12, both inclusive, in Block 8 of Irvington Addition to the City of Oklahoma City, Oklahoma County, Oklahoma containing 35,306 square feet or 0.8105 acre, more or less. Parcel 2 - The west 3 Ft of Lot 48 and all Lots 43 through 47, both inclusive, and Lot 45, less and except 20 feet by 20 feet in Northwest Corner; all in Block 8, Irvington Addition to the City of Oklahoma City, Oklahoma County, Oklahoma, containing 15,856 square feet or 0.364 acre, more or less, according to the plat recorded in Book 7 of Plats, Page 67.

Area: Said described land combined contain an area of 51,162 square feet or 1.1745 acres, more or less.