



**City of Winnipeg
Planning, Property and Development Department**

**Invitation for Expressions of Interest for
Development Proposals under the Vacant and
Derelict Buildings By-Law 35/2004**

**For Property Located at 469 Henderson Highway
Winnipeg, Manitoba**

(EOI # 340-2008)

Invitation for EOI Development Proposals for Vacant Building

1. INTRODUCTION

1.1 The City of Winnipeg (City) invites Expressions of Interest (EOI) from Proponents, with respect to the acquisition and redevelopment of the commercial property located at 469 Henderson Highway (the "Project").

1.2 Proponents are advised that the Project is conditional on the City being issued the Certificate of Title for the subject property.

1.3 The property is being offered with a requirement that it be redeveloped immediately upon possession for occupation, according to the terms and conditions outlined in this EOI. A complete proposal is required that includes work to be performed, proposed use of the renovated building, estimated costs and estimated statement of operating expenses and revenues.

1.4 This information package provides a brief overview of the property and the associated terms of reference for this EOI.

2. LOCATION

2.1 The subject property is located 469 Henderson Highway in the Chalmers neighbourhood.

2.2 A complete description of the property being offered for sale within this EOI is appended as Schedule "A".

3. BACKGROUND

3.1 The Chalmers neighbourhood is in the East Kildonan/North Kildonan market region. The neighbourhood is bounded on the north by Munroe Avenue, on the east by Gateway Road, on the south by the Red River, and on the west by Henderson Highway. Chalmers is designated as a Rehabilitation Area in Plan Winnipeg 2020 Vision.

3.2 In 2004, City Council approved By-law 35/2004, which grants authority for the City to take possession of properties for which violations are outstanding and for which a Derelict Building Certificate has been issued. A requirement of issuance of the Derelict Building Certificate is that a satisfactory redevelopment plan is established. Application for a Derelict Building Certificate is being submitted respecting 469 Henderson Highway, and the intent of this EOI is to produce a satisfactory redevelopment plan to satisfy that process.

4. COUNCIL DIRECTIVE

4.1 On May 19, 2004, Council approved By-law No. 35/2004, the Vacant and Derelict Buildings By-law, which includes the following passages:

Application for derelict building certificate

20(1) Where

(a) a preliminary derelict building order has been issued in respect of a particular property;

(b) the time period provided in the preliminary derelict building order for bringing the property into compliance with this by-law has expired; and

(c) the time within which an appeal against the order may be taken has expired or, if any appeal against the order has been taken, the appeal has been decided and the decision

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- (i) confirms the order, or*
- (ii) varies the order, but the person has not complied with the order as varied;*

a designated employee may apply to the Standing Policy Committee on Property and Development for a derelict building certificate in accordance with The City of Winnipeg Charter.

Notice to owner

20(2) A designated employee shall provide notice of the application under subsection (1) to the owner of the derelict building in the manner provided under section 117 of The City of Winnipeg Charter.

Issuance of derelict building certificate

20(3) The Standing Policy Committee on Property and Development may issue a derelict building certificate in compliance with The City of Winnipeg Charter if

- (a) there is evidence that the property continues to be a derelict property; and*
- (b) in the opinion of the Committee, there is a satisfactory plan for redeveloping the property.*

Application for title

21. After waiting thirty days following the issuance of a derelict building certificate by the Standing Policy Committee on Property and Development, a designated employee may apply to the district registrar for a certificate of title to the property to be issued in the name of the City of Winnipeg in accordance with The City of Winnipeg Charter.

- 4.2 This EOI has been issued in response to the above Council Directive.

5. PROPOSAL REQUIREMENTS

5.1 The EOI Proposal should include the following:

- (a) A description of the proposed team members and team organizational structure, including principal-in-charge;
- (b) Information on the Proponent's team and its members' experience and expertise, including the level of design and construction experience and expertise in delivering projects of this nature and magnitude;
- (c) A list of three references, at a minimum, who have served in a client capacity for the Proponent or its members – provide names of individuals and contact information;
- (d) A letter from a financial institution demonstrating that the Proponent has sufficient financial backing to bring the Project to fruition;
- (e) Where appropriate, a design concept with sketches of floor plans and exterior perspectives at a minimum, including a site plan;
- (f) A description of the Project including, in particular, all assumptions related to the existing structure and the proposed materials, and finishes together with approximate room sizes and occupation capacity of the various components of the building;
- (g) An estimate and breakdown of project capital costs and all associated costs (see Schedule C); and

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- (h) The name and contact information (address, phone, fax, and email) of the individual who will act as the Proponent's principal contact throughout the EOI process.
- 5.1.1 There is an expectation for the Project to achieve an operational status within one year of acquisition of the property. The Proponent will provide an outline of the critical phases and deadlines to deliver such a project to an operational status by the specified date.
- 5.2 The Proponent shall submit 10 bound copies and 1 unbound copy of the EOI Proposal in 8.5" x 11" format with the Proponent's name and contact information clearly visible on the front cover of the Proposal.
- 5.3 The City may require the Proponent to clarify any portion of its EOI Proposal. Responses to such requests shall be in writing and shall become part of the EOI Proposal. Failure to respond in writing within 3 Business Days or such longer time period specified by the EOI Evaluation Committee may be cause for rejection.

6. SITE INVESTIGATION

- 6.1 Proponents are advised that a site meeting will be scheduled during the week of April 28, 2008.
- 6.2 Proponents must register to attend the site meeting by contacting the Contract Administrator, identified in 17 before the date April 25, 2008.
- 6.3 Proponents shall not be entitled to rely on any information or interpretation received at the site meeting unless that information or interpretation is provided by the Contract Administrator in writing.

7. EVALUATION OF EOI PROPOSALS

- 7.1 EOI Proposals will be evaluated on the basis of compliance with Plan Winnipeg; strength of overall architectural design; timing of construction; quality of product, including internal and external components; targeted market of completed property; and according to the criteria listed in Schedule "B"– EOI Evaluation Parameters.
- 7.2 The EOI Proposals will be reviewed and analyzed by an Evaluation Committee comprised of two members of the Planning and Land Use Division (Planning, Property and Development Department [PP&D]), one member of the Housing Development Branch (PP&D), one member of the Housing/Existing Buildings Branch (PP&D), one member of the Fire Prevention Branch (Fire Paramedic Service Department), one member of the Materials Management Branch (Corporate Finance) and one member of the Community Resource Coordination Services Branch (Community Services Department). A representative of the Legal Services Division (Internal Services – Corporate Services) will provide legal advice to the Evaluation Committee as needed.
- 7.3 The Evaluation Committee may, in addition to the evaluation criteria described above, apply other evaluation criteria, which the Evaluation Committee determines are relevant during the evaluation process. The Evaluation Committee will apply the same criteria equally to the evaluation of all EOI Proposals.
- 7.4 Right to Reject. The City reserves the right to reject any or all EOI Proposals.
- 7.5 Notwithstanding Clause 5, where the Proponent fails to submit the required information, the Proposal will be evaluated with a zero (0) rating applied to that category or item.

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8. ANTICIPATED PROCESS

Phase I – EOI Evaluation

- 8.1 The Proponents are advised to present their best Proposal. The City will only negotiate with a short list of the Proponents submitting, in the City's opinion, the most advantageous Proposals.
- 8.2 The City will review, and clarify as required, all EOI Submissions received. If the City deems that none of the EOI's submitted are acceptable, the EOI process may be terminated and the Proponents so notified.
- 8.3 After completion of the Phase I evaluation of all EOI's, the City will short list the Proposals that are considered to have the most merit and benefits for the City and may proceed to Phase II.

Phase II – Detailed Proposal Solicitation and Evaluation

- 8.4 The City may invite the short listed Proponents to submit additional detail for their Proposals, if required.
- 8.5 If the City determines that none of the short listed Proposals are acceptable, the EOI process may be terminated and the Proponents will be so notified.
- 8.6 The evaluation of the short listed Proposals may proceed to Phase III with the City contacting those short listed Proponents and entering into negotiations with Proponents having Proposals that are considered to have the most merit and benefits for the City.

Phase III – Negotiations

- 8.7 The City reserves the right to further negotiate details of the Proposals from the short listed Proponents in the Phase III negotiations. The City may enter into negotiations with one or more Proponents without being obligated to offer the same opportunity to other Proponents. Negotiations may be concurrent and will involve each Proponent individually. The City shall incur no liability to any Proponent as a result of such negotiations.
- 8.8 If the parties cannot agree to a final resolution, the City may terminate the EOI process and so notify the Proponents. The City shall have no obligation to enter into a final agreement with a Proponent.
- 8.9 Upon completion of a detailed evaluation, the Evaluation Committee will prepare and submit a report to the Standing Policy Committee on Property and Development with a recommendation to proceed with the Project pursuant to this EOI, and identifying a recommended Proponent. In the event that the successful Proponent chooses not to proceed, the Evaluation Committee will enter into negotiations with the next qualified Proponent, or will re-advertise the EOI if necessary.
- 8.10 The Successful Proponent, as approved by the Standing Policy Committee on Property and Development, will enter into a Purchase Sale Agreement for the property, where the City may be entitled to become owner of the property, pursuant to By-Law No. 35/2004.
- 8.11 Notwithstanding any other clause of the EOI, the City of Winnipeg may, in its sole discretion, at any time by written notice, terminate the EOI or, after the selection of the preferred Proponent, elect not to proceed and by written notice terminate the Project procurement process. After termination as described above, the City will be under no obligation to any Proponent. In any such event, the City may at its further discretion, decide not to proceed with the Project or enter into negotiations with other parties.

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9. SUBMISSION OF EOI PROPOSALS

- 9.1 Interested parties shall submit 10 bound copies and 1 unbound copy of their Proposal enclosed and sealed in an envelope clearly marked "EOI No. 3402-008" and the Proponent's name and address to:
The City of Winnipeg
Corporate Finance Department
Materials Management Division
185 King Street, Main Floor
Winnipeg, MB R3B 1J1
- 9.2 The deadline for sealed EOI Submissions is **4:00 PM, Winnipeg Time, May 12, 2008.**
- 9.3 EOI submissions determined by the Manager of Materials to have been received later than the EOI deadline will not be accepted and returned upon request.
- 9.4 The Contract Administrator or the Manager of Materials may extend the submission deadline by issuing an Addendum at any time prior to the Submission Deadline in accordance with Clause 13.
- 9.5 EOI's submitted by facsimile transmission (fax) or internet electronic mail (e-mail) will not be accepted.
- 9.6 EOI's will not be opened publicly.

GENERAL CONDITIONS

10. NO CONTRACT

- 10.1 **This is an inquiry only. By submitting an EOI Proposal and participating in the process as outlined in this EOI, Proponents expressly agree that no contract of any kind is formed under, or arises from this EOI and that no legal obligations will arise.**

11. PROPONENT'S COSTS AND EXPENSES

- 11.1 Proponents are solely responsible for their own costs and expenses in preparing and submitting an EOI Proposal and participating in the request for EOI including the provision of any additional information or attendance at meetings.

12. OWNERSHIP OF PROPOSALS

- 12.1 The City will be entitled to retain all Proposals in response to this request for EOI without pay or compensation. However, the site plan if provided, floor plan, exterior perspective, and other information provided as part of the design concept will be used for evaluation purposes only. Proponents are advised that the City is subject to The Freedom of Information and Protection of Privacy Act (Manitoba) and that any documents or other records provided to the City may, by law, be subject to disclosure.

13. RIGHT TO ALTER

- 13.1 The City of Winnipeg reserves the right to at any time prior to the Proposal deadline, issue Addenda correcting errors, discrepancies or omissions, alter any of the conditions and criteria outlined in this EOI, or clarify the meaning or intent of any of the provisions therein, by posting Addenda on Bid Opportunity page at the City of Winnipeg, Corporate Finance, Material Management Branch internet website at <http://www.winnipeg.ca/matmgt/bidopp.asp>.

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- 13.2 The Proponent is responsible for ensuring that it has received all Addenda and is advised to check the Materials Management Branch internet site for Addenda regularly and shortly before the submission deadline.

14. GOOD FAITH DECLARATION

- 14.1 The Proponent declares that, in submitting its EOI Proposal, it does so in good faith and that to the best of its knowledge no member of Council or any officer or employee of the City would have any pecuniary interest, direct or indirect, should the Proponent be awarded a contract for the Project.

15. CONFIDENTIALITY

- 15.1 Information provided to a Proponent by the City, or acquired by way of further enquiries or through investigation, **is strictly confidential**. Such information shall not be used or disclosed by the Proponent in any way without the prior written authorization of the City.
- 15.2 The Proponent shall **not** make any statement of fact or opinion regarding any aspect of the EOI to the media or to any member of the public without the prior written authorization of the Director of the Planning, Property and Development Department.
- 15.3 Disclosure of the details of the successful Proposal by a Proponent is the sole responsibility of the Council of the City of Winnipeg, or its Designated Authority. The City may be obligated to disclose the name of the successful Proponent and amount of City funding after approval by the Standing Policy Committee on Property and Development and/or the execution of the Funding and Public Access Agreements.

16. COMPLIANCE WITH LEGISLATION

- 16.1 Proponents must respect all legislation governing their industry of activity and those of the parties to their business offering. Applicable legislation would include, but is not limited to, current municipal, provincial, federal and international laws governing regulations and licensing requirements enacted for the duration of the Project.

17. CONTRACT ADMINISTRATOR

- 17.1 All enquiries should be directed to:
- Contract Administrator
Dave Dessens
Housing Development Coordinator
Planning, Property and Development Department
361 Hargrave Street
Winnipeg, Manitoba
R3B 2K2
Tel: (204) 940-3074
Fax: (204) 940-3077
Email: ddessens@winnipeg.ca

18. ENQUIRIES

- 18.1 All enquiries shall be directed to the Contract Administrator as identified in Clause 17.1.
- 18.2 If the Proponent finds errors, discrepancies or omissions in the proposal, or is unsure of the meaning or intent of any provision therein, the Proponent shall promptly notify the Contract

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Administrator of the error, discrepancy or omission at least five (5) Business Days prior to the Submission Deadline.

- 18.3 If the Proponent is unsure of the meaning or intent of any provision therein, the Proponent should request clarification as to the meaning or intent prior to the Submission Deadline.
- 18.4 Responses to enquiries which, in the sole judgment of the Contract Administrator, require a correction to or a clarification of the Request for Proposal will be provided by the Contract Administrator to all Proponents by issuing an addendum.
- 18.5 Responses to enquiries which, in the sole judgment of the Contract Administrator, do not require a correction to or a clarification of the Request for Proposal will be provided by the Contract Administrator only to the Proponent who made the enquiry.
- 18.6 The Proponent shall not be entitled to rely on any response or interpretation received pursuant to Clause 18.1 unless that response or interpretation is provided by the Contract Administrator in writing.

List of Schedules:

Schedule "A"	Description of Property
Schedule "B"	EOI Evaluation Parameters
Schedule "C"	EOI Application Form

SCHEDULE “A” - DESCRIPTION OF PROPERTY

- A1. The property may be described as follows:
- a. The subject property is located at 469 Henderson Highway in the Chalmers neighbourhood, legally described as LOT 3/4 BLOCK 1 PLAN 1138 WLTO IN RL 95 PARISH OF KILDONAN.
 - b. The property is a 2,595 square foot 1 storey commercial building, zoned C-2. The building is wood-frame construction built in 1925 and contains a 576 square foot basement.
 - c. The building is situated on a 6,468 square foot lot measuring approximately 54 feet wide by 120 feet deep.
- A2. Please note that all measurements are approximate, and that all property aspects described herein are subject to verification by the proponent.

SCHEDULE “B” - EOI EVALUATION PARAMETERS

- B1. EOI Proposals will be evaluated on the basis of broad financial, operational and strategic merit to the City, and according to the following criteria:
- (a) Likelihood of completion, (30%)
Includes proponent qualifications, expertise, experience, and access to resources and financing;
 - (b) Timing of proposed construction (25%)
Preference given to projects that can begin immediately upon acquisition, as compared to proposals that project delays for requirements such as rezoning;
 - (c) Integration with surrounding properties and neighbourhood (25%)
Conformance with Zoning By-law, Plan Winnipeg, Secondary Plans, Neighbourhood Plans; architectural plan or design; and proposed type of work (rehabilitation, demolition and redevelopment, etc.);
 - (d) Costs and Benefits to City (15%)
Consideration given both to financial costs (requests for tax relief, etc.) and benefits (potential property taxes), and to non-monetary costs and benefits (development of affordable housing, housing targeted to specific target populations, inclusion of features beneficial to the community, etc.)
 - (e) Type of Proponent (5%)
For-profit or non-profit corporation, or unincorporated proponent;

SCEHDULE "C" - EOI APPLICATION FORM

GROUP INFORMATION				
Name of Proponent Group:		Corporate Status:		Corporation Type:
Address of Proponent Group:		<input type="checkbox"/> Not Incorporated <input type="checkbox"/> Incorporation Pending <input type="checkbox"/> Incorporated (attach articles) (Date: _____)		<input type="checkbox"/> Private Sector <input type="checkbox"/> Private Non Profit <input type="checkbox"/> Public Non Profit <input type="checkbox"/> Co-operative
GROUP REPRESENTATIVES				
Name	Position	Occupation	Address	Phone #

CONSULTANTS			
Type	Name & Address	Contact	Telephone #
Project Development Firm			
Architectural Firm			
Law Firm			
Other(s)			

REFERENCES		
Name & Address	Contact	Telephone #

**EOI
REDEVELOPMENT OF 469 HENDERSON HIGHWAY WINNIPEG,
MANITOBA**

SITE INFORMATION	
Civic Address:	_____
Existing Zoning:	_____ Required Zoning: _____
Ownership:	_____
Tenure and Use (check all that apply):	
<input type="checkbox"/> Apartment	<input type="checkbox"/> Condominium
<input type="checkbox"/> Retail	<input type="checkbox"/> Office
<input type="checkbox"/> Warehouse	<input type="checkbox"/> Other (specify) _____
Anticipated First Occupancy Date: _____	

PROPOSED UNITS			
Unit Type (Office, Retail, etc.)	Size (sq. ft.)	# Units	Estimated Rent (\$)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

ESTIMATED ANNUAL OPERATING COSTS (EXCLUDING MORTGAGE DEBT SERVICE)	APPLICANT ESTIMATE	CITY USE ONLY
1. Labour (Maintenance)	_____	_____
2. Materials & Services (Maintenance)	_____	_____
3. Utilities	_____	_____
4. Property Taxes	_____	_____
5. Insurance	_____	_____
6. Administration	_____	_____
7. Contingency	_____	_____
8. Replacement (Capital) Reserve Allocation	_____	_____
9. Other (please specify)	_____	_____
10. TOTAL OPERATING COSTS	_____	_____

**EOI
REDEVELOPMENT OF 469 HENDERSON HIGHWAY WINNIPEG,
MANITOBA**

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ESTIMATED CAPITAL COSTS

PROPERTY - ACQUISITION & SERVICING COSTS	APPLICANT ESTIMATE	CITY USE ONLY
1. Purchase Price of Land		
2. Off-Site Servicing		
3. Legal Services Fee (for land acquisition)		
4. Survey, Title, Land Title Transaction Fees		
5. Variance Fees/Appraisals		
6. Property Transfer Tax		
7. Other		
FEES AND CHARGES		
8. Interest on Bridge Financing		
9. Taxes during Construction		
10. Insurance during Construction		
11. Utilities during Construction		
12. Architect & Consultant Fees (specify)		
13. Resource Group Fees (specify)		
14. Legal Charges (excluding land acquisition)		
15. Audit charges		
16. GST or GST Registration #: _____		
17. Sundry and/or Other (specify)		
BUILDING AND LANDSCAPING COSTS		
18. Building Construction Costs (additions, etc.)		
19. Rehabilitation/Conversion/Demolition Costs		
20. Stoves, Refrigerators, Laundry Equipment		
21. Hard Furnishings (specify)		
22. Landscaping		
23. On-Site Servicing		
24. Other		
25. PLUS: Contingency		
26. Total Capital Cost (lines 1 to 25)		

**EOI
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PROJECT FINANCING DETAILS	APPLICANT ESTIMATE	CITY USE ONLY
Project Costs (Line 26)		
LESS: Proponent Equity		
Required Mortgage Financing		
Other Funding (specify) _____		
EQUITY DETAILS		
Proponent Equity (Real Property)		
Proponent Equity (Unencumbered Funds)		
Tenant Equity		
Capital Grants (specify) _____		
Other (specify) _____		
Total Equity		
NON-RESIDENTIAL SPACE DETAILS		
Pro-Rated Capital Costs		
Pro-Rated Operating Costs/Month (including debt-service)		
Anticipated Revenue/Month		
Project Surplus/Deficit		

DECLARATION: The information in this application as well as any attachments are to the best of my knowledge, accurate statements of fact.

SIGNATURE

DATE

NAME

TELEPHONE #

ADDRESS

POSITION