

MUNICIPALITY OF THE DISTRICT OF BARRINGTON
Acquisition and Development of Municipal Land



Request for Proposals Specifications

RFP No. MODB2201

Issued: January 2022

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Part 1 – Summary

The Municipality of the District of Barrington (“Municipality”) is seeking development proposals (“Proposals”) from qualified firms or individuals (“Developers”) for the opportunity to purchase and develop municipally owned properties (“Site”) along Highway 3 in Barrington Passage (PID# 80051063 and 2569138).

Because of its proximal location to the rural centre of Barrington Passage, Council considers these properties as an important Site that offers unique mixed use, commercial, and residential development opportunities. Currently, the properties are zoned CG Commercial General, which permits a variety of commercial, residential, office, and institutional land uses. A more detailed description of land use regulations can be found in Appendix A.

The vision for the Site’s development is still emerging and the Municipality will look at Developer proposals and prioritize them according to their social benefit, housing market demand, and highest economic and financial benefit to the Municipality. Ideally, the properties would be developed with a housing project that will help strengthen the Municipality, respond to its housing needs, and catalyze further development in the area.

This document contains information about the development opportunity, the Site, the Municipality’s objectives for the development of the property, proposed business terms for the acquisition and development of the property, terms and conditions for this RFP, instructions for submitting a Proposal, and information about the process that will be used to evaluate Proposals.

Part 2 – Introduction

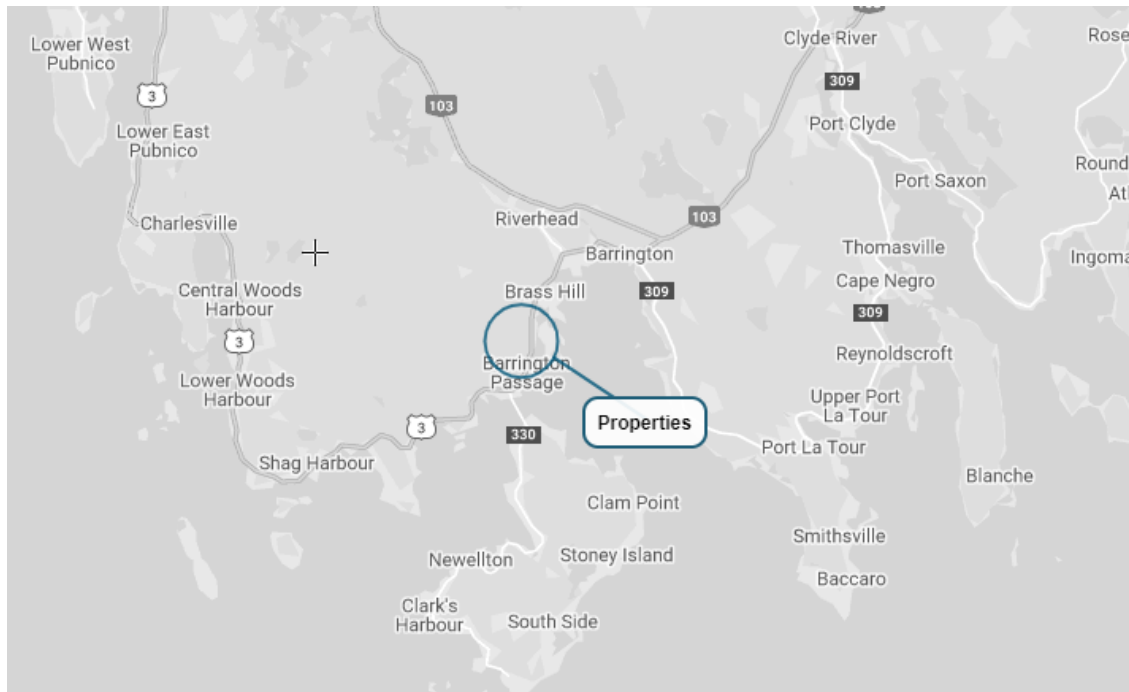
The Municipality is a rural district within Shelburne County of approximately 6,500 people located along Highway 103 between Yarmouth and Shelburne.

The Municipality is made up of many small, friendly, coastal communities and includes the most southern tip in Nova Scotia located on beautiful Cape Sable Island. We are a beautiful coastal destination, home to numerous white sand beaches, tranquil walking trails, vibrant local festivals, and a rich history that you can explore through our many museums and local events. Our residents are mostly descendants of the first settlers from Chatham and Harwich of Cape Cod, Massachusetts, who emigrated to the area during the 1760’s.

We are the *Lobster Capital of Canada* and you can taste tradition by enjoying fresh seafood caught the same day, or by visiting our picturesque fishing villages known for the brightly coloured famous Cape Island Boats. Barrington’s forestry heritage is also engrained in our history and we have many museums including the Old Woolen Mill Museum where you’ll find the very first piece of Nova Scotia Tartan, or the Shag Harbour UFO Centre where you can learn more about the only government documented sighting in the world.

Part 3 – Site Overview

The municipally owned Site consists of two adjoining vacant lots that offer a combined 21 acres on the western side of Highway 3 in the rural centre of Barrington Passage. It is serviced by the municipal wastewater system and is approximately 1 km from the nearest sidewalk. See Appendix B for additional property information.



The intended outcome of this Request for Proposals (“RFP”) process is the development of a Development Agreement (“DA”) that will establish terms and conditions, and further define the scope, design, overall use and development of the Project upon which the selected Developer can purchase and develop the preferred project on the Site.

During the RFP period, Developers and their employees, agents or representatives, shall have the right of reasonable access to the Site during normal business hours for the purposes of inspecting the properties, and otherwise conducting due diligence to ensure that the properties are suitable for Developer’s intended use. Notwithstanding anything else in this Request for Proposals, Developer shall defend, indemnify and hold the Municipality, its employees, officers and agents, harmless from any injury, property damage or liability arising out of the exercise by Developer of this right of access, other than injury, property damage or liability relating to the gross negligence or willful misconduct of the Municipality or its officers, agents or employees.

Part 4 – Proposal Questions

To evaluate the alternatives and select the appropriate Developer, the Municipality is requesting development proposals that will help the Municipality finalize its vision and move ahead with property disposition and development. Proposals must respond to the following items:

1. Description of the Developer’s proposed project:
 - a. Size in acres and/or square feet of building space
 - b. Type of housing planned (e.g. multi-unit, tiny homes, mixed-use combination)
 - c. Conceptual design
2. Description of the Developer’s experience developing the proposed type of project elsewhere:
 - a. Name and location of project(s)
 - b. Description of project(s)
 - c. Completion date of project(s)
 - d. Experience in dealing with other municipal projects and/or have experience in purchasing government property for private development
3. Explanation of the role the Developer’s organization will play in the proposed project and a list of other partners and their roles (if any).
4. The proposed general timeframe for the development of the Developer’s proposed project. If multiple components or phases are planned, include a list of all.
5. Description of the benefit(s) your proposed project brings to the Municipality including:
 - a. Land sale price
 - b. Projected property tax revenues from the project
 - c. Projected sales tax and other revenues from the project (if applicable)
 - d. Projected number of direct jobs
 - e. Other benefits to the Municipality

Part 5 – Project Timeline

Release of Request for Proposal	January 10, 2022
Deadline for Submittal of Proposals	2 p.m. February 24, 2022
Evaluation of Submissions by Municipality	March/April, 2022

Part 6 – Inquiries

Please direct all inquiries concerning this RFP to:

Chris Frotten, Chief Administrative Officer
PO Box 100
Barrington, NS
B0W 1E0
Telephone: 902-637-2015
Email: cfrotten@barringtonmunicipality.com

Part 7 – Developer’s Responsibilities

Following Developer selection and execution of a Memorandum of Understanding, Developer shall proceed with detailed due diligence, pre-development, and entitlement activities while working with the Municipality to negotiate a Development Agreement that will include a Purchase and Sale Agreement for the property.

The Municipality anticipates that the general scope of the successful Developer team’s responsibilities would include, but not be limited to:

Entitlements

The Developer shall be responsible for all aspects of the Project including pre-development planning, environmental review and design. The selected Developer shall be responsible, at its sole expense, for obtaining all land use entitlements and other government approvals required for its proposed Project.

Predevelopment Costs

The selected Developer shall bear all pre-development costs relating to this Project. All fees or expenses of engineers, architects, financial consultants, attorneys, planning or other consultants or contractors retained by the Developer for any study, analysis, evaluation, report, schedule, estimate, environmental review, surveys, planning and/or design activities, drawings, specifications or other activity or matter relating to the Project shall be the sole responsibility of and undertaken at the sole cost and expense of Developer and no such activity or matter shall be deemed to be undertaken for the benefit of, at the expense of, or in reliance upon the Municipality.

Legislative Action

The Municipality and the Developer acknowledge that the Municipality must exercise its independent legislative authority in making any and all findings and determinations required of it by law concerning the municipal properties. The Developer selection does not restrict the legislative authority of the Municipality in any manner whatsoever and does not obligate the Municipality to enter into the Development Agreement or to take any course of action with respect to the Project.

Financing

The Developer shall be responsible for providing funding for the Project, whether it be in the form of debt financing or equity or a combination of these methods. If debt financing is used, no financial risk or credit risk shall be imposed upon or borne by the Municipality.

Construction

The Developer shall be responsible for construction and commissioning of the Project including obtaining all permits, fees, and approvals necessary for construction of the Project.

Part 8 – Proposal Instructions

A complete, concise and professional response to this RFP will enable the Municipality to identify the Developer who will provide the highest benefit to the Municipality and will be indicative of the level of the Developer's experience and commitment to the proposed project. Proposals must demonstrate that the approach, design, and financing plan for the proposed project will allow the project's successful development and delivery.

One original (bound) and five (5) copies of the proposal along with an electronic copy shall be submitted.

The following minimum information should be provided in each Proposal and will be utilized in evaluating each Proposal submitted. To expedite the evaluation of Proposals, submittals should be no more than twenty (20) pages. Proposals should include the following items:

- Detailed completion of Questions 1 thru 5 in Part 4: Proposal Questions which shall include the following:
 - The firm/team's statement of qualifications.
 - A narrative description that expresses the firm/team's understanding of the project and vision for development. The narrative should reflect the respondent's development design intent, strategy and implementation expertise, and understanding of the scope of work.
 - Resumes with related expertise of the specific Developer and any other consultant or subcontractor resumes with relevant expertise and experience.
- Descriptions of the firm's/team's last three completed projects that demonstrate the Developer's:
 - Experience in working with municipalities and/or other public agencies to develop mixed use residential and commercial projects.
 - Ability to complete projects of a similar size, scope, and purpose in a timely manner.
 - Description of any other completed projects (representative examples) of similar types of projects.

- Proposed offer price to purchase the Site to include earnest money deposit amount and proposed terms.
- Analysis of the proposed job creation potential, market demand, and the economic and financial benefits of various potential uses proposed for the Site.
- A proposed approach for undertaking this development, including:
 - Detailed scope of work and
 - Schedule for predevelopment analysis, entitlement review, construction, etc.
- Standard statements:
 - A statement that this RFP shall be incorporated in its entirety as a part of the Developer's proposal.
 - A statement that this RFP and the Developer's proposal will jointly become part of the "Development Agreement" ("DA") agreement for this project when the DA is fully executed by the Developer and Municipal Council of the Municipality.
 - A single and separate section "EXCEPTIONS TO THE MUNICIPALITY'S REQUEST FOR PROPOSAL" containing a complete and detailed description of any/all of the exceptions to the provisions and conditions of this Request for Proposal upon which the Developer's proposal is contingent and which shall take precedent over this RFP,
- Disclosure and evidence of financial stability
 - Disclosure of any potential conflicts of interest that could be relevant to this project in any manner.
 - Disclosure of any projects/financing on which the team or any of its members has defaulted.
 - Disclosure of whether the developer or any officer, director, or owner thereof has had judgments entered against it, him or her within the past 10 years for breach of contracts for governmental or nongovernmental construction or development.
 - Disclosure of whether the developer has been in substantial noncompliance with the terms and conditions of prior construction contracts with a public body.
 - Disclosure of whether any officer, director, owner, project manager, procurement manager, or chief financial official thereof has been convicted within the past 10 years of a crime related to financial fraud or to governmental or nongovernmental construction or contracting.
 - Disclosure of whether any officer, director, or owner is currently debarred from bidding or contracting, pursuant to an established debarment procedure, by any public body, agency of any state, or agency of the federal government.
 - Other evidence of financial stability of developer (can be submitted under confidential cover as detailed in "Submission Process").

The Municipality will not be liable for any expenses incurred by Developers responding to this solicitation. All material submitted will be kept by the Municipality.

Part 9 – Site Tour

Interested Developers are strongly encouraged to attend an on-site briefing session on February 3, 2022 at 2 p.m at the Site. Registration to attend the briefing is required no later than the close of business on February 1, 2022. To register, or for additional information, contact Debbie Mader at 902-637-2015 or dmader@barringtonmunicipality.com.

Part 10 – Evaluation Criteria

Proposals will be judged according to the following criteria:

Category	Points
Developer experience and ability to carry out the project within the proposed timeline <ul style="list-style-type: none"> ▪ Composition and experience of team including the principal developer and all team members – emphasizing a strong design, development and operating team; ▪ Demonstrated experience in housing development including; successful financing, construction and operation of similar sized projects; ▪ Timeframe for initiating and completing components of the plan. 	40
Type of housing and number of units constructed <ul style="list-style-type: none"> ▪ Description of the type or mix of housing proposed for development; ▪ Number of potential units and individuals housed 	30
Overall fit with the area <ul style="list-style-type: none"> ▪ Complimentary to Barrington Passage and the Municipality’s communities; ▪ Efficient use of land mass proposed for the development; ▪ Creativity in design and attention to quality design and built form including (but not limited to): scale and integration of built components, walk-ability and connectivity on the site and to the surrounding amenities; ▪ An adequate quality and quantity of landscape and attention to streetscape design; ▪ Thoughtful architectural design and sensitivity to the character and identity of the surrounding neighborhood; 	20
Amount of private investment <ul style="list-style-type: none"> ▪ Purchase Price; Closing Date; Condition Period; Key Term and Conditions of Offer and Agreement; ▪ Financial or other forms of guaranteed performance to implement major aspects of the proposed development; 	10

Part 11 – Public Record

Proposals received will become the property of the Municipality. All responses are subject to public disclosure under Nova Scotia’s Freedom of Information and Protection of Privacy Act. The Municipality

recognizes that respondents must submit financial information that it may deem confidential and proprietary to comply with the requirements of this solicitation. To the extent permissible by law, the Municipality agrees to keep confidential any confidential proprietary information included in a response, provided that (1) the respondent identifies the confidential proprietary portions of the response, (2) the respondent identifies as confidential and proprietary only those portions of the submittal that are confidential and proprietary, and (3) the respondent states why protection is necessary. Respondents shall not designate their entire response as confidential and proprietary, nor shall they so designate information that is already public.

Part 12 – RFP Addenda

The Municipality may determine it is necessary to revise any part of this solicitation. Revisions will be made by written addenda and it is the Developer's responsibility to understand and comply with any addenda to this solicitation. Addenda may be posted on the Municipality's website, www.barringtonmunicipality.com under Business or Developer's may contact the municipal office:

PO Box 100
Barrington NS,
B0W 1E0
Telephone: 902-637-2015
Email: cfrotten@barringtonmunicipality.com

Part 13 – Privilege Clause

The Municipality does not bind itself to accept any proposal but may accept any proposal, in whole or in part, or discuss with any proposer different or additional terms to those described in this RFP. The Municipality may:

- a) cancel the Proposal at any time;
- b) reject any or all Proposals;
- c) accept any Proposals;
- d) if only one Proposal is received, choose to accept, or reject it;
- e) choose not to accept the lowest offer price;
- f) reject any Proposals that, in its sole discretion, are not in its best interest to accept; and
- g) alter the schedule, RFP process or any other aspect of the RFP as it may determine in its sole and absolute discretion.

If the Municipality elects to reject all Proposals it may, in its sole discretion and in addition to any other recourse it may choose, call for additional tenders or re-request all or part of the work, all without incurring any liability and no proponent will have any claim against the Municipality as a consequence.

The Municipality reserves the right to waive any formality, informality, technicality, or non-compliance in any Proposal.

In evaluating Proposals, the Municipality reserves the right to consider, among other things, the greatest value for money based on quality, service, price, experience, and local preference. The Municipality reserves the exclusive right to determine the qualitative aspects of all Proposals relative to evaluation criteria and to rely on any evaluation criteria which, in its sole discretion, it considers to be in its best interest.

The Municipality is not liable for any costs associated with responding to the RFP.

The proposer, in submitting a Proposal, has accepted the privileges and reservations of rights set out herein and agrees to be bound by same.

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Appendix A

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Appendix B

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