



IMPROVING OUR COMMUNITY

COLUMBIA GATEWAY URBAN RENEWAL AGENCY

CITY OF THE DALLES

AGENDA

COLUMBIA GATEWAY URBAN RENEWAL AGENCY BOARD

Meeting Conducted in a Room in Compliance with ADA Standards

Tuesday, September 17, 2019

5:30 p.m.

City Hall Council Chambers

313 Court Street

The Dalles, Oregon

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE OF ALLEGIANCE
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES – August 20, 2019
- VI. PUBLIC COMMENT
- VII. ACTION ITEM
 - A. Authorization to Release Request for Qualifications for the Tony's Building property, 401 E. Second Street (1N 13E 3 BD Tax Lots 2200 and 2300)
- VIII. DISCUSSION ITEM
 - A. Recreation Building Status Update
- IX. STAFF COMMENTS

Next Regular Meeting Date: October 15, 2019
- X. BOARD MEMBERS COMMENTS OR QUESTIONS
- XI. ADJOURNMENT

(This page intentionally left blank.)



COLUMBIA GATEWAY URBAN RENEWAL AGENCY
CITY OF THE DALLES

MINUTES
COLUMBIA GATEWAY URBAN RENEWAL AGENCY BOARD

Meeting Conducted in a Room in Compliance with ADA Standards

Tuesday, August 20, 2019
5:30 p.m.

CALL TO ORDER

Chair Grossman called the meeting to order at 5:28 p.m.

ROLL CALL

Present: Scott Baker, Staci Coburn, Bob Delaney, John Fredrick, Gary Grossman, Darcy Long-Curtiss, Tim McGlothlin and Linda Miller

Absent: Steve Kramer

Staff Present: Urban Renewal Manager Steve Harris, City Attorney Gene Parker, Assistant to the City Manager Matthew Klebes

PLEDGE OF ALLEGIANCE

Chair Grossman led the Pledge of Allegiance.

APPROVAL OF AGENDA

It was moved by Fredrick and seconded by Coburn to approve the agenda as amended. The motion passed 8/0; Baker, Coburn, Delaney, Fredrick, Grossman, Long-Curtiss, McGlothlin and Miller in favor, none opposed, Kramer absent.

PUBLIC COMMENT

Todd Carpenter and Carla McQuade, 216 E. Fifth Street, The Dalles

Carpenter stated they were in attendance for help and support from the Board. Carpenter provided an update on the building, Exhibit 1.

In response to Long-Curtiss' inquiry, Carpenter replied he did not own the building so was unable to insure it; he has a liability policy. City Attorney Parker stated the Agency has property and liability coverage on the building that may be available to offer assistance. An engineer has been scheduled to inspect the property. Carpenter stated a support beam split in several places was the cause of the damage.

Chair Grossman requested the Agency be kept apprised of the information gathered.

Director Harris stated the initial concern was for public safety. Barriers and signs were erected over the weekend. The next phase will be assessment; a determination will be made on whether occupancy should be limited or restricted. Staff will report back to the Board and City Council.

ACTION ITEM

Authorization to Release Request for Qualifications for the Tony's Building property, 401 E. Second Street (1N 13E 3 BD Tax Lots 2200 and 2300)

Chair Grossman stated he received input from Board Members with concerns the motion made was a combination of an RFQ and RFP; the RFP was not specific enough. Grossman asked for the rationale used. Harris replied the Letter of Interest, as part of a multi-phase approach, would provide a broad conceptual development proposal. That, along with a statement of qualifications, would allow staff to go through the initial selection phase. The next phase would be a Request for Proposals.

Further Board discussion included the BOLI issue. City Attorney Parker said it would depend in part on the proposal, and whether or not public funds were requested. Parker said language could be added to advise applicants that issue would need to be addressed.

Assistant to the City Manager Matthew Klebes said results of the last process with the building are detailed in the RFQ. The intent was to cast a wide net.

Board Members stated concerns with the RFQ

- It unnecessarily narrowed the scope of applicants and did not reflect the spirit of earlier discussion
- The purpose was to gather a wide range of applicants, able to both start and finish a project
- Evaluation criteria was weighted toward developers
- Return the property to the tax rolls

Board Member Fredrick moved the Tony's Building RFQ/RFP include provision to retain the property on the tax rolls. Board Member Miller seconded the motion. The motion passed 8/0; Baker, Coburn, Delaney, Fredrick, Grossman, Long-Curtiss, McGlothlin and Miller in favor, none opposed, Kramer absent.

Chair Grossman asked if there was a way to broaden the language in terms of attracting or defining the proposal. Baker suggested removal of restrictive language, "At a minimum," and the five year time limit for experience.

Board Member Long-Curtiss suggested an inclusive process, something in which a local business could participate. The applicant would provide a description of the plan and follow up with their qualifications. Details would be finalized in the ENA.

Board consensus was to revise the RFQ.

DISCUSSION ITEM

City of The Dalles Brownfield Integrated Planning Grant

Assistant to the City Manager Matthew Klebes reported on the Brownfield Integrated Planning Grant.

The City received a \$25,000 grant from Business Oregon to develop an Integrated Planning Grant. The Urban Renewal district was used as the focus area to develop an inventory of

properties. The technical memorandum identified opportunistic sites for assistance. This information will assist the City in efforts to obtain an EPA Coalition Assessment Grant.

The Assessment Grant helps with specific sites for assessment, planning, testing, and determination of steps necessary to correct the site and potential costs. Based on this information, additional sources of revenue or financing in the form of loans or grants can be identified.

The City will issue an RFP to obtain a consultant to assist with the grant application. Contingent on successful award, the consultant would help the City execute the grant. The grant would provide \$600,000 over a three year period.

Two additional partners are necessary for the Coalition Assessment Grant; both the Port of The Dalles and Wasco County are interested. The RFP will be issued this fall; the grant deadline is in December.

STAFF COMMENTS

The next regular meeting date is September 17, 2019. A consultant presentation of the Downtown Visioning Plan is tentatively scheduled for City Council on October 14, and will be presented to the Board at the October 15, 2019 meeting.

City Attorney Parker summarized the effects of HB 2174 on urban renewal agencies. The Bill adds a "Public Building Project" which includes public buildings such as fire and police stations and public art. This could affect funding for projects that include a public building. If the Agency were to propose a public project, approval is required by three of the four taxing districts expected to forego the most tax revenue.

HB 2174 does not include transportation infrastructure (a publicly owned parking structure), water, or waste water infrastructure. The Bill also adds new language for what is considered a substantial amendment.

HB 2174 also includes new requirements for Agency annual financial statements.

BOARD MEMBERS COMMENTS OR QUESTIONS

None.

APPROVAL OF MINUTES

It was moved by Fredrick and seconded by Long-Curtiss to approve the minutes of July 16, 2019, as written. The motion passed 8/0; Baker, Coburn, Fredrick, Long-Curtiss and Miller in favor, none opposed, Delaney, Grossman and McGlothlin abstained, Kramer absent.

ADJOURNMENT

Chair Grossman adjourned the meeting at 6:25 p.m.

Respectfully Submitted
Paula Webb, Planning Secretary

Gary Grossman, Chair

(This page intentionally left blank.)

Recreation building update August 20, 2019

In June and July, we continued work on the demolition of the interior and exterior of the Recreation project now being called the Merchants Landing Restoration Project

Early June I reported that we had completed about 50% of the roof-patching project, which included torch down, demo, and some wood patchwork.

Since that report, we finished the repair of the East end-building roof (the Empress Theater) and sprinkler tested the repairs with no leaks. We also completed the demo of the interior and are ready to submit architectural drawings for permitting the interior and front façade of that building. Shane Kelly with Luna designs has created current layout architectural drawings and is working with our general contractor on the new layout.

The middle building (the Horn Saloon) is about 65% demo, and Eastside Electric came out and installed grounding rods for the PUD so that we could light up the electrical panel. We repaired the wall crack, which ran from the roof of the empress theater to the top of the Horn Saloon, which extended from the exterior of the building to the interior. The PUD came out and green tagged the electrical in August about two weeks ago. As soon as we repair the staircase in the back leading up to the top floor, we can install power, finish the demo, and submit architectural drawings for the interior and front façade. Luna designs has completed current state drawings and is working with our General contractor on the new layout. We also completed the roof repairs on that building but during our sprinkler test, had a small leak on the West end, which we need to fix.

In the Far West building (the recreation/bowling) we completed front wall demo interior as well as some demo to the downstairs and began demoing the exterior. We removed the interior suspended ceiling and completed some roof repair on the east side of the carrier arch. We also started the roof repair on the west side of the carrier arch but discovered a bit of a concerning issues.

On July 15, we submitted our first report to the Oregon State Historic Preservation office for the month of June and asked for 16,395 of reimbursement with a matching contribution of 9,222.38 for June for the project called the Merchants landing restoration project. This has not been received yet.

During roof repair on July 17, we removed the flashing of the carrier arch on the roof and noted that almost all of the supports had cracks. (Pictures attached) At that time, we did not have any building drawings and so I started sending out requests to see if we could find architectural drawings. We felt that the best course of action was to post and shore up the roof from the interior along the 12 x 12 support beam, which was attached to the suspect carrier arch above the roof. At the time, the arch was intact but we felt something need to happen to shore the roof and ensure the longevity of the structure.

In order to move forward without drawings we had to remove the bowling lanes directly under the beam on both floors to identify the structural supports from the basement concrete pads.

The process of removing the lanes took approximately three weeks and once done we scheduled the team to come back out August 20. The plan was to finish the roof repair and inspect the supports to continue the posting project so that we could finalize a plan and work with a structural engineer as to the best course of action and drawings for permit.

On August 9, during Neon nights in The Dalles we had what has been described to me as a 100-year event.

I am not a structural engineer so this has not been verified but approximately 4-6 inches of water poured onto the roof from rain and rain run-off and ran into the valley of the point that was created to drain south to North where the carrier arch is centered on the roof. (Roof design attached below, we found architectural drawings from 1962) in about 45 min, this weight was focused on the center of the recreation building around the carrier arch. The area of the roof occupies approximately a 100 x 75 space, or about 3,750 cubic feet. 7.48 gallons per cubic feet = 28,050 gallons of water. One gallon of water = 8.34 lbs. Therefore, with uneducated napkin math we figure that the roof took on a maximum of 233,000 lbs of weight or 11.6 tons during the event.

On Saturday when I visibly looked at the roof, most of the water had drained off. On Sunday, morning when I went into the building no visible issues other than a bit of leakage on the west side of the building were visible.

During the week, the team noted that there was some noises coming from the bowling area, and so we asked them to stay out of the bowling side of the project until the following week when we could begin bracing. When I inspected it Friday afternoon it appeared that the ceiling had come down visibly about 2 to 6 inches in the area about 20 feet from the South wall where the 12 x 12 support beam was held up.

On Saturday afternoon 8/17, I went into the building again to inspect it and noted that the rafters had dropped about 3 feet from their position and it appeared that the 12 x 12 support beam had started separating. I could hear audible creaking and decided to leave the building.

I called my contractor, asked if he could send someone up immediately, and then decided to go back into the building to determine if internal framing on the edges held up the roof or if it was attached to the wall of the buildings to the east and west of it. My concern at that point was the safety of the customers in the Bank Building. When I reentered the building, I heard water spraying and noted that at the rear of the building the ceiling had dropped far enough to snap a sprinkler pipe running east to west across the back of the building.

I called Ridgeline plumbing who told me to call the city emergency number. The city came down (I apologize but I was a bit stressed and did not catch his name but he was very helpful) and turned off the sprinkler system at the road, and noted that he would be letting the fire marshal know and left. I then conferred with a friend of mine and we decided to call the PUD and ask them to disconnect power from the building so that if the building ceiling did come down we would not start any kind of electrical fire.

As the PUD guys and I were standing in the front, we noted that the South face (2nd street side) of the building had bowed out considerably and when we walked behind the building, we noted that the carrier arch support on that end was visibly cracked. We decided to call the emergency number again and asked the on call person if we should close down the sidewalk in front of the recreation building. He decided that out of an abundance of caution and safety he would close down the sidewalk and the first lane of traffic between Court and Washington as well as the alley behind the recreation center. With the sidewalk closed, we also closed the Last Stop Restaurant.

On August 18, I went down to look at the building and it appeared to have moved again. I got a drone onsite to take some overhead images of the situation. I convinced my general contractor to come up a day early to look at it and help make a determination.

I had sent a couple emails to Steve Harris at the city notifying him of the incident as well as a text to Dawn Hurt asking for a response back. Steve emailed me back on Sunday and noted that he had sent a

message out to the city manager about emergency resources and that I should contact Wasco County for possible inspections.

I did contact Wasco County and they do not inspect unless there is permitted work, so they suggested we get a structural engineer involved.

On Monday 8/19, the city put up a jersey barrier along 2nd street and re-opened the sidewalk on both sides of the Recreation. They noted that a Structural engineer should be involved and asked me to be the point of contact for that. I have reached out to Tennyson Engineering and they will be onsite Wednesday 8/21/19.

My General contractor and team went into the building to post the beam on Monday to help it stop its decent and we discussed several possible options to move forward late Monday night. We also moved a 30 yard dumpster to 2nd street in order to have a place to demo the roof if needed. The city left access for a boom truck if needed to relieve the pressure off the roof.

At this point, we have a couple possible options to discuss but I am concerned about the structural integrity of the bank building as well as the survivability of the bowling alley end of the project as the roof flexes and settles. I am also concerned about the city liability if we do not act fast with a decision. Unfortunately, the storm forced us (together with the city) into a decision that may include the demolition of the building or at the very least the demolition of the existing roof and a new buildout of the entire roof structure.

When we took this on, it was a joint effort with the city to save, restore and use the buildings known as the recreation center with its existing structure. I am solution oriented, and I am very focused on helping downtown, but due to this unfortunate flooding event, Carla and I are struggling to see an upside with the amount of money we have spent and intend to spend.

I am no structural engineer, but with the potential liability that exists, I believe it would be in the cities best interest to get involved. Together we should determine if the building can in fact be saved, and if so, how the city will help with a part of the building that has deteriorated to this level, due to an event no one guessed would have happened.

Through June, we have spent approximately 70,000 on demolition and costs associated with the purchase, carrying costs, materials, services, and FTE not including 25,000 on roof repairs of which Urban renewal reimbursed 15,000. This represents about 10k per month, and is escalating at a rate that could put us at a project total of around 700,000 without business infrastructure spend. This spend is coming directly from savings and our other businesses with the large majority coming from Last Stop LLC. This is in addition to the Bank building which has cost approximately 850,000 and will require another 1,000,000 plus to finish the living space upstairs shows a significant investment and love on our part to The Dalles.

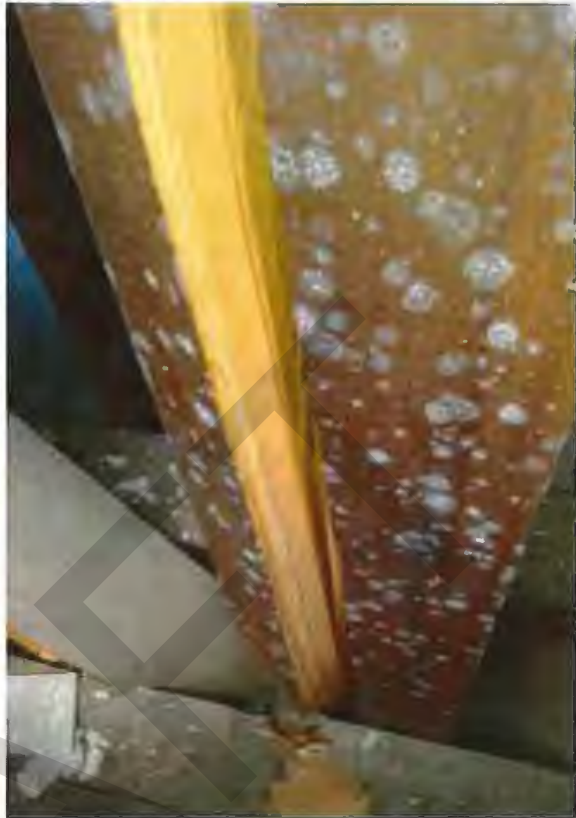
We appreciate the opportunity to continue the partnership with the city and hope we can find a quick resolution that is safe and provides a benefit to the city and community.

Attached are some images of the issues this last weekend.

Thanks, Todd Carpenter & Carla McQuade







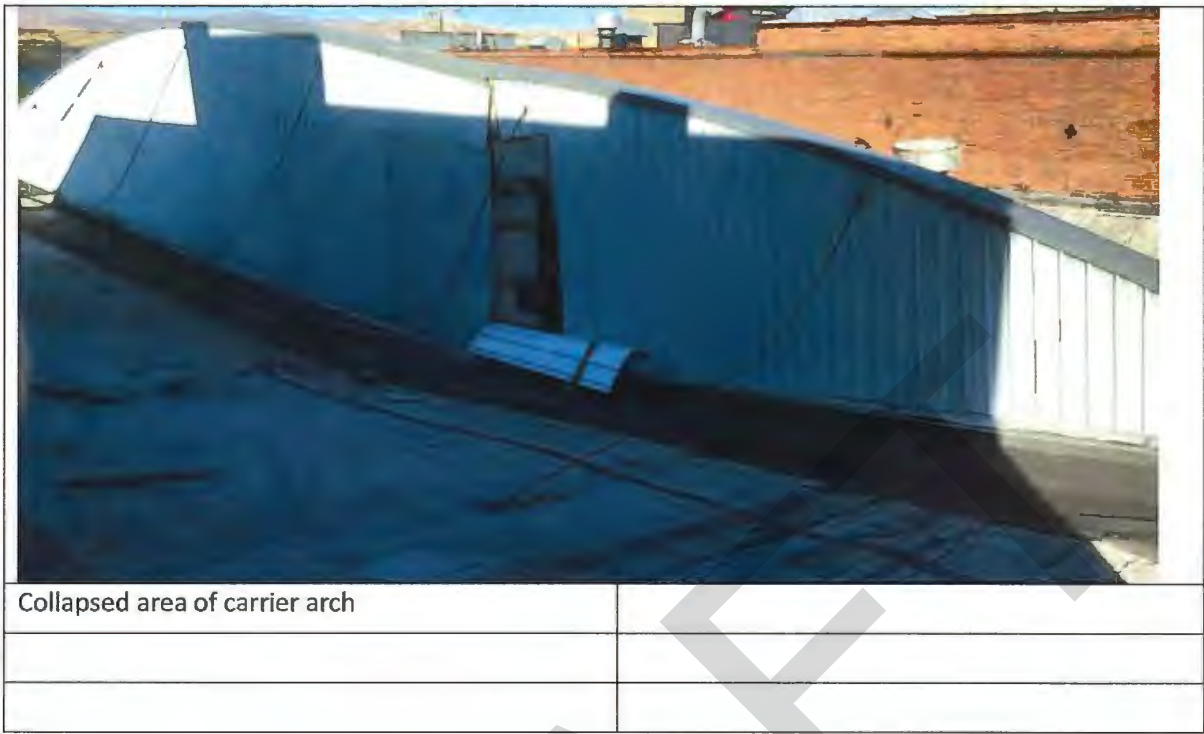
Steel beam supporting the carrier beam on the roof flexing towards the street as it falls



Carrier arch cracked above roof

	
<p>Carrier arch cracked above roof</p>	<p>Carrier arch cracked above roof</p>
	
<p>Bow looking straight on</p>	<p>Separation of roof from front south side</p>

	
<p>Separation of roof from bank building</p>	<p>New support to 12 x 12 beam to stop fall</p>
	
<p>Crack in North side of carrier arch support</p>	<p>Bow looking down from bank building</p>





IMPROVING OUR COMMUNITY

COLUMBIA GATEWAY URBAN RENEWAL AGENCY
CITY OF THE DALLES

AGENDA STAFF REPORT
AGENDA LOCATION: VII. A.

DATE: September 17, 2019

TO: Chair and Members of the Urban Renewal Agency Board

FROM: Steven Harris, AICP
Urban Renewal Manager

ISSUE: **Authorization to Publish Request for Proposals – Tony’s Building Property, 401 East Second Street (1N 13E 3 BD 2200 & 2300)**

BACKGROUND

Attached for the Board's review and authorization to publish is a revised Request for Proposals (RFP) for the Tony's Building. Changes throughout the document incorporate comments provided by the Agency Board at the August 20th meeting. The RFP now reflects the Agency's direction to seek a process that encourages a wide range of responses for the "reuse or redevelopment" of the property consistent with the Agency's goals and objectives for the downtown area. Additional revisions to the document include legal verbiage pertaining to protests, public records, general conditions, etc.

The revised RFP was circulated to Board Members on September 4th. As of this date, the comments have been received by Board Member Coburn:

- Pg 5 A. Selection of Proposal - In the final paragraph of that section, it mentions if the highest-ranked respondent fall out of negotiations, the agency will move onto the second, and eventually the third. Wondering if we should leave room there for if the second or third, and first for that matter, are not at all qualified. Perhaps even adding the word "qualified" in front of "highest ranked respondent", as well as in front of "second highest ranked" and "third highest ranked". Gives some wiggle room for instance if there are only two well qualified applicants, and the score for the third is not acceptable. This way the applicant understands we don't have to negotiate with them if they don't meet our minimum qualifications/score.

- Pg 7 C. Format for Proposal Submissions - Who will make up the Evaluation Committee? Is that important for the applicant to understand? I would like to know regardless.”

BOARD ALTERNATIVES

1. *Staff recommendation:* Move to accept the RFP and direct staff to publish.
2. Provide revisions to the RFP and direct staff to publish.
3. Decline the RFP and direct staff as appropriate.

Attachments

Tony's Building Property RFP



IMPROVING OUR COMMUNITY
COLUMBIA GATEWAY URBAN RENEWAL AGENCY
CITY OF THE DALLES

_____, 2019

RE: Tony's Building, Historic Downtown Development Opportunity

The Columbia Gateway Urban Renewal Agency ("Agency") is seeking proposals from parties interested in reuse and/or redevelopment of a downtown building and property.

The Tony's building sits in the heart of Downtown The Dalles at the corner of East 2nd and Federal Streets. This property is currently owned by the Agency. Previously, the Agency sought a mixed used vertical housing project, but is now seeking open proposals.

To respond, please review the attached Request for Proposals (RFP) and submit your response outlining your project as well as a statement of qualifications. Staff is available to answer your questions and provide copies of pertinent reference documents. Questions should be submitted in writing.

Changes or modifications to this RFP shall be binding on the Agency only if in the form of a written Addendum issued by the Agency. In the event the Agency determines to send out an addendum to the RFP, said addendum will be posted on the Agency's website, www.ci.the-dalles.or.us. It is the responsibility of the Proposers to consistently check said website for updated addendums.

Responses are due on _____, _____, 2019 by 4:00 P.M. Any response received after the due date whether by mail or otherwise will not be considered.

All questions should be addressed to Steven Harris, Urban Renewal Manager, (541) 296-5481, ext. 1151, or by email at sharris@ci.the-dalles.or.us

Thank you for giving this development opportunity serious consideration and we look forward to hearing from you.

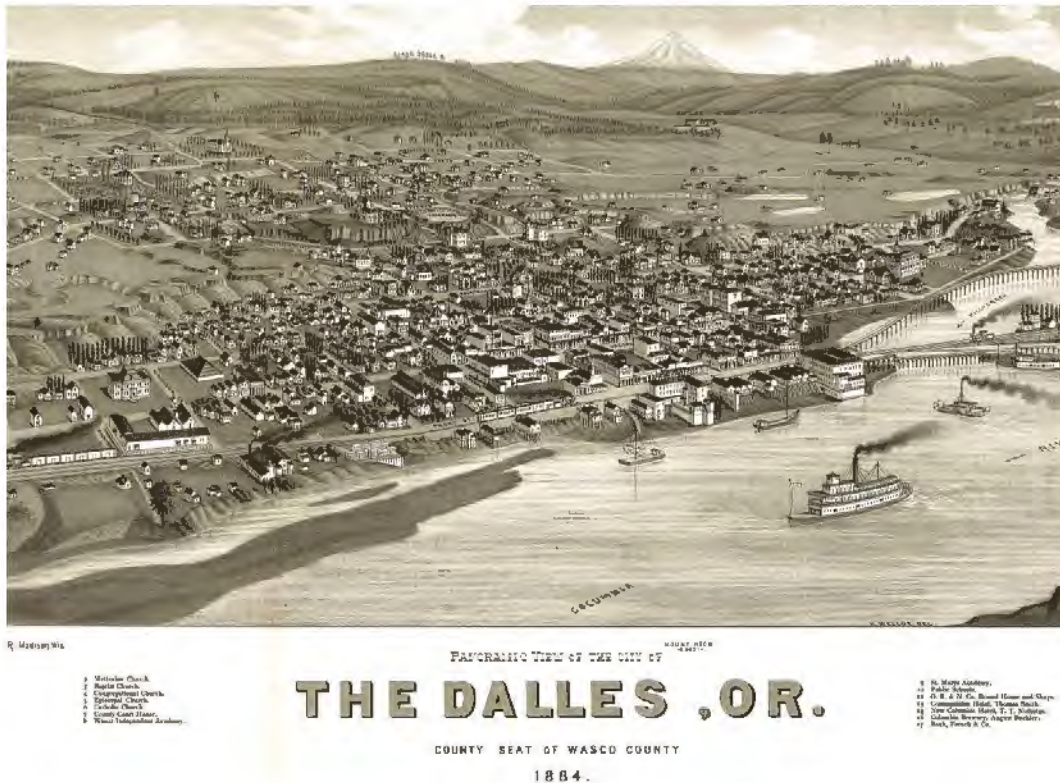
Sincerely,

Steven K. Harris, AICP
Urban Renewal Manager

(This page intentionally left blank.)



IMPROVING OUR COMMUNITY
COLUMBIA GATEWAY URBAN RENEWAL AGENCY
CITY OF THE DALLES



**Columbia Gateway Urban Renewal Agency
Request for Proposals
_____ 2019**

Executive Summary



The Agency is seeking proposals from all parties interested in the reuse and/or redevelopment of the project site. All responses must include provisions establishing that the subject property will be owned by an entity which will ensure the property is placed back on the property tax rolls. The Agency anticipates the responses could include everything from reusing the building as it currently stands to potential demolition and redevelopment of the property. The project site, the “Tony’s Building,” is located at the intersection of Federal Street and East 2nd Street, in the heart of Downtown The Dalles, a National Historic District.

Responses are due by 4:00 p.m. on _____, 2019. All questions should be addressed to Steven Harris, Urban Renewal Manager, (541) 296-5481, ext. 1151, or by email at sharris@ci.the-dalles.or.us

These properties are described on the Assessor’s Map as 401 E 2ND ST - 1N 13E 3 BD 2200 & 2300

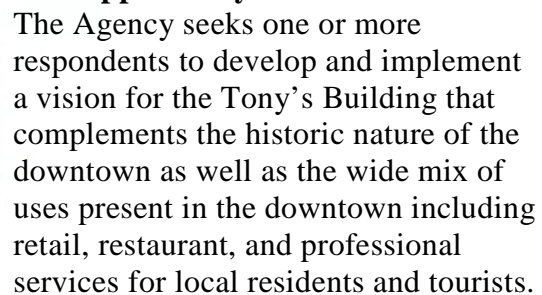
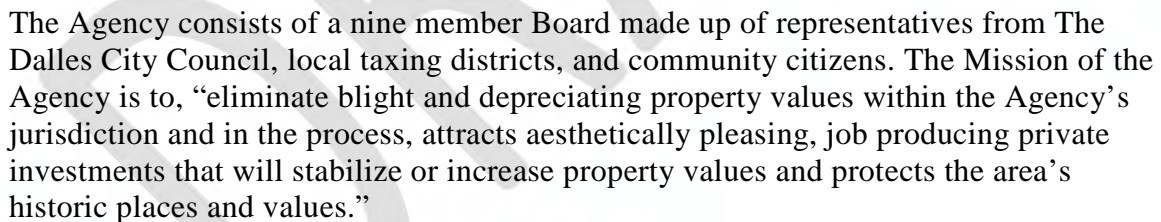
Introduction

The City of The Dalles, Oregon has a growing population of nearly 15,000 and is located 84 miles east of Portland, nestled between the Eastern edge of the Cascade Mountain Range and the mighty Columbia River. Known as the Hub of the Pacific Northwest and as the Eastern Gateway to the Columbia River Gorge, The Dalles is home to a mix of recreational enthusiasts as well as a wide variety of services for nearby communities. With a mild climate and nearly 300 days of sun on average the community is a wonderful place to live, work, and play.

Historic Downtown The Dalles

The downtown has witnessed a number of recent public and private revitalization efforts, including housing, retail/restaurants and cultural venues. The historic Granada Theatre and the Civic Auditorium have both undergone recent renovation. Housing is

A Vision exercise is nearing completion, which when adopted, will provide guidance to future City/Agency and private redevelopment efforts in the downtown area. Opportunity sites and “districts” were identified through a robust public engagement process. The below graphic details key results of the Vision exercise including potential districts, public and private opportunity sites, as well as existing buildings with potential vertical housing development space.



The Urban Renewal Agency purchased this property in 2016 with the intent of developing a mixed use vertical housing project. This project ultimately did not move forward due to a determination by the Bureau of Labor and Industry (“BOLI”) that the project was a public/private partnership subject to the requirement to pay prevailing wage rates for labor. While the development of downtown housing remains a priority, this RFP is open to various proposals for the reuse or redevelopment of the site.

The existing building is located on two lots, each approximately 0.14 acres for a total of 0.28 acres (12,197 sq. ft.). The building is zoned Central Business Commercial (CBC) and is comprised of 4 storefronts with 4 parking spaces off the alleyway to the north. In addition to being within the Urban Renewal Area, the site is located in the City of The Dalles Vertical Housing Zone as well as the Wasco County Joint Enterprise Zone. It is not located in an Opportunity Zone.

Proposals

The Agency is seeking proposals that describe a vision and use for the project site, and how the project aligns with the Agency and City’s goals and objectives. Attached to this RFP is a copy of Section 401 from the Agency’s Plan and Report setting forth the Agency’s Goals and Objectives. A competitive response would include the individuals and parties involved in the proposal as well as a projected timeline. It would also include a description of the respondent’s ability to complete the project, including financial resources and information reflecting prior experience in business and/or project development.

Respondent Selection

The Agency desires to sell all the property associated with the “Tony’s Building”. Since there are many design variables, potential tenant mixes, building reuse, possible building demolition and rebuild, the Agency will not simply sell the land to the highest bidder. Instead, it is the desire of the Agency to partner with a respondent to create the final development plan, and mutually negotiate a Disposition and Development Agreement (“DDA”) to convey the site with less risk for the buyer and greater assurance for the Agency.

Evaluation Criteria

Criterion	Weighting
Project Vision <ul style="list-style-type: none"> • Vision for the site • Returned on Tax Rolls 	30 points
City and Agency Goals <ul style="list-style-type: none"> • Consistency with the City’s and Agency’s goals and objectives 	30 points
Qualifications/Ability to Complete the Project <ul style="list-style-type: none"> • Financial resources • Project schedule and projected completion date 	25 points
Quality of reference(s)	15 points
Total	100 points

The Overall Process

A. Selection of Proposal

The Agency will review all proposals received as a result of this RFP. One respondent will be selected who best meets the Agency needs for; experience, financial capacity, credibility, quality of project submittal, quality of use/tenant mix, and completion schedule.

The award will be made by the Agency to the Respondent submitting the acceptable proposal which is in the best interests of the Agency. In determining the acceptable response, the Agency will take into account those factors listed as evaluation criteria above. The Agency reserves the right to waive informalities or irregularities in the proposals. Determination of the acceptable response and award may be subject to review and determination by the Agency as to the legal sufficiency of any response submitted.

After the Agency has completed the evaluation process and ranked the proposals, the Agency will announce the selection of the best proposal and will initiate negotiations with the highest-ranked Respondent. The negotiations will be directed towards obtaining a signed Exclusive Negotiating Agreement and/or Disposition and Development Agreement as described below.

The Agency shall, either orally or in writing, formally terminate negotiations with the highest-ranked Respondent if the Agency and the highest-ranked Respondent are unable for any reason to reach agreement on an ENA within a reasonable amount of time. The Agency may thereafter negotiate with the second highest-ranked Respondent, and if necessary, with the third highest-ranked Respondent, until negotiations result in a final ENA and DDA. If negotiations with any of the top three Respondents are not successful within a reasonable amount of time, the Agency may end the solicitation process, reject all responses, and proceed with a new request for proposals or take other action related to sale of the Tony's Building.

B. ENA- Exclusive Negotiating Agreement

The City/Agency may prepare and provide an Exclusive Negotiating Agreement for the selected respondent. An ENA would allow time to negotiate terms of a DDA and determine property pricing once the infrastructure is designed, infrastructure cost is allocated between seller and buyer, and the buyer fully understands their contractual commitment. Furthermore, an ENA would also provide the buyer a cooperative due diligence period in which to discover all material facts and reduce risk. The Agency may also seek a third party to evaluate the proposer's pro forma and/or conduct a cost benefit analysis. However, this step/agreement may be waived if appropriate at the time.

C. Land Use Entitlement and DDA- Disposition and Development Agreement

The City's land use entitlement process would be supported by the Agency's DDA. The DDA would also include the joint escrow instructions for conveyance of the property, fully detail financial terms, design, scope of project, and performance schedule.

Schedule

_____, 2019 --The release date for this document
_____, 2019 – Advertisement of RFP
_____, 2019, 4:00 p.m.--Deadline to submit your “RFP and Statement of Qualifications”

Procedures for Submission and Contact Information

All questions should be addressed to Steven Harris, Urban Renewal Manager, (541) 296-5481, ext. 1151, or by email at sharris@ci.the-dalles.or.us. Responses will be provided in writing and provided to other interested parties prior to submittal deadline.

Please submit three (3) copies of your hardcopy response to the RFP and statement of qualifications no later than 4:00 pm, _____, _____, 2019 to:

Steven Harris, AICP
Urban Renewal Manager
City of The Dalles
313 Court Street
The Dalles, OR 97058

Submittals received after the deadline will not be considered.

Resource Documents (Available on the City website or by request)

- A. Section 401 from the Agency’s Plan and Report setting forth the Agency’s Goals and Objectives
- B. Vision Action Plan
- C. Housing Study
- D. Downtown Visioning
- E. Economic Opportunity Analysis conducted by Bridge Economic Development
- F. Columbia Gateway Urban Renewal Plan
- G. Brownfield Integrated Planning Document
- H. Level One Environmental Assessment
- I. Results of Asbestos Testing

General Conditions

A. Protests

(1) SOLICITATION PROTEST REQUIREMENTS

Respondents may submit a written protest of anything contained in the RFP and may request a change to any provision, specification or Contract term contained in the RFP. Potential Respondents may submit protests concerning the RFP and requests for change to any particular provisions, specifications, or Contract terms contained in the RFP, to the Agency **in writing no later than seven (7) calendar days prior to the Proposal submission deadline**. The Agency will not consider any protest to the RFP or request for change submitted after this deadline. Each protest and request for change must include the reasons for the protest or request, and any proposed changes to the RFP provisions,

specifications or Contract terms. The Agency will resolve all timely submitted protests in accordance with Section 02-0730 of the Agency's Contract Review Board Rules. The Agency will address all timely submitted requests for change within a reasonable time following the Agency's receipt of the request and once addressed, will promptly issue a written decision on the request to the Respondent who submitted the request.

(2) AWARD PROTEST REQUIREMENTS

Every Respondent who submits a Proposal shall be notified of its selection status. Any Respondent who claims to have been adversely affected or aggrieved by the selection of (the highest ranked/the higher ranked) Respondent (s) must submit a written protest of the selection to the Agency within **seven (7) calendar days after the date of the selection notice**. The Agency will not consider any protest submitted after this submission deadline. The protesting Respondent must claim that protesting Respondent is within the group of higher ranked Respondents with whom the Agency will negotiate a Contract because the Responses of all higher ranked Respondents failed to meet the requirements of the RFP or because the higher ranked Respondents otherwise are not qualified to perform the obligations described in the RFP. The Agency will resolve all timely submitted protests in accordance with Section 02-0740 of Agency's Contract Review Board Rules. Respondents who have been notified that they are not selected may make an appointment to view the RFP files at the Planning Department Office 313 Court Street, The Dalles, OR.

(3) COSTS AND DAMAGES

All costs of a protest shall be the responsibility of the protestor and undertaken at the protestor's expense. The Agency shall not be liable for the Respondent's damages or costs for filing the protest, on any basis, express or implied.

B. Public Records

This RFP, and one copy of every Proposal received in response to it, together with copies of all documents pertaining to the award of the Contract(s), shall be kept by the Agency and made a part of Agency's records. Proposals shall be opened to public inspection in accordance with ORS 279C.410. If a Proposal contains any information that may be considered exempt from disclosure under the various grounds specified in Oregon Public Records Law, ORS 192.311 through 192.478, the Respondent must clearly designate the portions of its Proposal Respondent claims are exempt from disclosure, along with a justification and citation to the authority relied upon for the claimed exemption. Application of the Oregon Public Records Law shall determine whether any information is actually exempt from disclosure. **Identifying the Proposal in whole as exempt from disclosure is not acceptable.** If Respondent fails to identify the portions of the Proposal the Respondent claims are exempt from disclosure and the authority used to substantiate that claim, Respondent is deemed to waive any future claim for disclosure of that information.

C. Format For Proposal Submissions

All proposals must be on 8.5 by 11 inch paper, double-spaced type preferred; this limitation does not apply to graphic design materials. Proposals must be signed and

dated by the President or Executive Director if submitted by a corporation; the managing partner if submitted by a partnership; or the proprietor if submitted by a sole proprietorship. Proposals will be reviewed and evaluated by an evaluation committee based upon the evaluation criteria set forth above. The evaluation committee will make a recommendation for award of the proposal to the Urban Renewal Manager, who will then make a recommendation for award of the proposal to the Agency.

The Agency will not be liable for any costs incurred by the applicant associated with the preparation of a proposal submitted in response to this RFP.

D. General Conditions

- All facts and opinions stated within this RFP and all supporting documents and data are based on information available from a variety of sources. No representation or warranty is made with respect thereto
- The Agency reserves the right in its sole discretion to accept or reject all responses to this RFP without cause.
- The Agency reserves the right in its sole discretion to modify the selection process or other aspects of this RFP, including extending the deadline or canceling the RFP without selecting a Respondent. The Agency will take reasonable steps to ensure that any modification or clarification to the RFP shall be distributed in writing to all persons who have requested a copy of the RFP from the Agency.
- The Agency reserves the right to request additional information following its review of the initial submissions. In addition, the Agency may retain consultants to assist in its evaluation of the submissions.
- In the interest of a fair and equitable selection process, the Agency reserves the right to determine the timing, arrangement, and method of any presentation throughout the selection process. Respondents are cautioned not to undertake any activities or actions to promote or advertise their proposals except during Agency authorized presentations. Violation of these rules by a Respondent is grounds for disqualification of the Respondent.
- All submissions shall become the sole and exclusive property of the Agency. Respondents shall not copyright, or cause to be copyrighted, any portion of their submission. Within the bounds of the Oregon public records law, the Agency will maintain the confidentiality of submissions at least until the preliminary selection of a Respondent. Any proprietary financial information or other information which Respondents submit will be maintained as confidential as allowed by Oregon public records law. Submissions or information that any Respondent would like to remain confidential must be marked confidential.
- The Agency makes no representations as to whether or not a project to be developed as a result of this RFP, or any Agency participation therein, is a “public improvement project” or a “public work project” as those terms are defined in the Oregon Public Contracting Code and therefore no representations as to whether a project will be subject to public contracting procedures and/or federal or state prevailing wage rate laws.

- News releases by the selected respondent pertaining to its selection will require prior written approval from the Agency.
- The Agency reserves the right to verify and investigate the qualifications and financial capacity of any and all members of any Respondent.
- The Agency does not accept responsibility or obligation to pay any costs incurred by any party in the preparation of submission of a proposal or in complying with any subsequent request by the Agency for information or for participation throughout the evaluation process.

DRAFT