



**Request for Proposals
Sale and Development of Real Estate
Offered by City of Foley, AL
118 West Laurel Avenue
(Cactus Café Building)**

Issue Date: (early November)

Submission Deadline: (two months from issue date)

Overview:

The Cactus Café Building, a National Registered Historic Land Mark constructed in 1910, is being offered for sale by the City of Foley to developers or owners who wish to locate a restaurant, bakery, or other food related service on the 1st floor and stabilize the 2nd floor for future improvements. The City, acting through its office of Economic Development, seeks a qualified developer or business owner to purchase and improve the property. The City will consider all development proposals that contemplate a future food related business on the 1st floor that will be open during the day and evening hours. The proposed usage shall be compatible with the surrounding businesses.

To be considered, developers or business owners must submit a development proposal in response to this Request for Proposal (RFP), in the manner prescribed herein. The City makes no representations or warranties as to the condition of the property, zoning and zoning enforcement and proposes to sell as is, where is, with all faults. The minimum purchase price offer is \$140,000 plus all closing cost.

Location:

The property is located at 118 West Laurel Avenue, on the north east side of the intersection of West Laurel Avenue and North Alston Street. The property is in the downtown commercial Historic District and is a key contributing building registered as a National Historic Building.

Property Description: (All numbers are estimates or approximations)

The property consist of lots 9, 10, 11, and 12 in Block 10 in the City of Foley, according to the plat of record in the office of the Judge of Probate of Baldwin County, Alabama in Map Book 1, page 25. Tax Parcel ID Number 05-54-09-29-1-101-014.000 approximately .116 acres consisting of two stories and a total of

approximately 10,000/sf (5,000/sf on the lower level formally the Cactus Café Restaurant and approximately 5,000/sf on the upper level formally used as living facilities).

The overall site is flat and located at a key retail location in downtown Foley. City parking is available at the building's entrance on West Laurel Avenue and along the west side of the building on North Alston Street.

The current zoning for the property is B-1 Central Business District. It's the City's desire to promote residential uses on the 2nd levels of our downtown area buildings; therefore, we encourage developers and owners to consider 2nd level residential as a possible use in your designs. This use is presently permitted on appeal.

Environmental Conditions:

The City has Commissioned EPA through a grant to perform an Environmental assessment that is available to all developers and owners interested in their findings. Please contact Donna Poole dpoole@cityoffoley.org or Kate Embry kembry@cityoffoley.org for a copy of this report.

Downtown Historic District Design Guidelines:

Contact Donna Poole for a copy of Historic Design Guidelines dpoole@cityoffoley.org

Site Access for Potential RFP Respondents:

A walkthrough will be conducted for potential respondents during the months of November and early December. Potential respondents interested in participating in the walkthrough should notify Donna Poole dpoole@cityoffoley.org at the Office of Economic Development. Additional access will be granted by scheduling an appointment with Economic Development on a first come first serve basis during the City's normal business hours (8 a.m. to 5 p.m.).

Submission Requirements:

Respondents must submit three (3) hard copies of their complete development proposal to include potential uses of the ground floor as well as stabilization and cleanup of the 2nd level.

Each submission must contain the following information:

- A. Formal Letter of Interest on Letterhead of Developer or Owner. Such letter should be addressed to:

**Mayor John E. Koniar
City of Foley
P.O. Box 1750
Foley, AL 36536**

- B. Identification of the Respondent to include business name and contact information.
- C. General description of the business, years in operation, number of locations, anticipated number of employees, annual sales projections, restaurant type, type of food and drink to be served.
- D. Description of Development Proposal:
- Purchase Price offered
 - Development plan and timeline for future use of property
 - Facade plan, exterior changes, outdoor seating areas, signage, color scheme (to comply with Foley Historic District and Community Development requirements)
 - Plans to attract tenants and identify types of tenants to be sought, if applicable
 - Proposed sources and uses of funds (Including Historic Tax Credits. Will they be used as equity or will owner/developer use them personally to offset taxes?)
- E. Commercial or Trade References
- Please include a minimum of three (3) references that attest to the financial wherewithal or capabilities of the respondent, including at least one reference from a lender that the respondent has a current relationship with.
- F. Litigation
- The respondent's firms and principals must identify and describe any current, pending or threatened litigation against them related to their business or real estate dealings.
- G. Obligations to the City of Foley
- The respondent must attest to having no outstanding or overdue tax, lien, or fine obligations to the City of Foley.
 - The City of Foley may elect to deem a submission non-response if the submission fails to comply with specific requirements of this solicitation. The City reserves the right to reject any and all proposals in its sole discretion and to decline to offer or withdraw the RFP for this property.

Request for Proposals (RFP) will be received by the City of Foley until _____ a.m./p.m. CT on _____, _____, 2016. RFP may be sent or hand delivered to the City of Foley, 407 East Laurel Avenue, Foley, Alabama 36535 or mailed to P.O. Box 1750, Foley, Alabama 36536. If hand delivering, the proposals must be "Date and Time" stamped at the receptionist's desk when the RFP is turned in. It shall be the sole responsibility of the respondent to assure receipt of the RFP at Foley City Hall prior to the published submittal deadline.

The respondent's proposal must be submitted in a sealed envelope or box, clearly marked with the following information on the outside:

Respondent's Business Name

Respondent's Address

RFP for

Sale and Development of Real Estate

Offered by City of Foley, AL

118 West Laurel Avenue

(Cactus Café Building)

Submission Deadline:

Timeline for Completion of Construction and Opening of Ground Floor Business(s):

Respondents need to define a time line for the completion of building construction and opening of the ground floor business(s) to the public. Timeline shall not exceed 18 months after purchase of the building. The 18 month timeframe begins on the date the building is purchased. The City retains the right, at its sole discretion, to purchase the building back at the price the building was purchased for, plus the cost of improvements made by the developer/owner if the 1st floor of the building is not open to the public within 18 months from the date the building was sold.

Proposal Evaluation Criteria:

The City shall consider the following information when reviewing and evaluating submissions to determine the proposal that is in the best interest of the City.

- Highest Bid Offer
- Financials
- Restaurant business experience

Terms Upon Selection:

Sale of property is subject to a due diligence period.

Upon written notification, the respondent recommended by the City will have a period of approximately ninety (90) days within which to satisfy itself as to the suitability of the property for purchase and development, enter into development agreement and close on the sale of the facility. City will require a \$25,000 non-refundable deposit during the due diligent period that will be applied to sale of the property held in escrow until sale of the property.

Attachments:

- Aerial Photo
- Tax Assessor's Map
- Development Standards, excerpt from Zoning Regulations, City of Foley