



Request for Offers to Purchase District of Columbia Property

2,272 SF of Land

Square 2892 Lot 0105 - Rear of 3212 Georgia Avenue, NW
Washington, DC



Issued: Wednesday, 2/17/2016

Issued by:

**Government of the District of Columbia
Department of General Services
2000 14th Street NW, Suite 8th Floor
Washington, DC 20009
<http://DGS.dc.gov>**

Offers due by: Thursday 3/17/2016; no later than 2:00 PM

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Section # 1: Overview and the District's Goal for this R F O

THE GOVERNMENT OF THE DISTRICT OF COLUMBIA THE ("DISTRICT"), THROUGH ITS DEPARTMENT OF GENERAL SERVICES ("DGS"), INVITES INTERESTED OFFERORS ("OFFERORS") TO RESPOND TO THIS REQUEST FOR OFFERS ("RFO") WITH OFFERS TO PURCHASE THE FOLLOWING DISTRICT OF COLUMBIA ASSET:

SQUARE 2892 LOT 0105 (REAR OF 3212 GEORGIA AVENUE NW) INCLUDING A STRUCTURE WITH APPROXIMATELY 2,272 SQUARE FEET OF LAND. THE DISTRICT WILL ONLY ACCEPT OFFERS FOR THE ENTIRE PROPERTY (all of the property being referred to as the "Property").

The District's goal, in issuing this solicitation, is to receive Offers to purchase the Property. The District will evaluate Offers and will select one Offer that the District determines, in the District's sole discretion, to be in the best interest of the District for negotiation of a purchase and sale agreement for the entirety of the Property.

Section # 2: Property Description

The property is located in the rear of 3212 Georgia Avenue, NW, Washington, DC, and contains a structure situated on approximately 2,272 of land. The site was formerly used as a storage site for the Department of Public Works. The Square and Lot of the Property is 2892 0105, and the property is zoned C-2-A. THE PROPERTY WILL BE SOLD IN AN "AS-IS", "WHERE-IS" CONDITION WITH ALL FAULTS, AND WITHOUT ANY REPRESENTATIONS OR WARRANTIES WHATSOEVER, AND CONVEYED VIA A DEED THE FORM OF WHICH IS IN THE DISTRICT'S DISCRETION.

PROPERTY CONDITION

The property has rear alley access only, and contains a structure of approximately of 400 square feet. The property is in fair condition. **All costs to reconfigure or improve the Property for the Offeror's use will be at the Offeror's sole cost and expense.**

All costs, expenses and obligations of every kind and nature whatsoever relating to the purchase of the Property shall be paid by the Offeror (including, without limitation, any taxes or fees assessed against the Property, and any costs related to survey, title work, title commitment , insurance and closing costs).

Please see Exhibit A: Property Details for additional information including an aerial map and a current plat.

Section # 3: Information to include in Submitted Offers

An Offer shall be in a narrative form responding to each Offer Criterion in this Section # 3. An Offer must be submitted timely and comply with the terms of this RFO. Please see Section # 4 for additional information on submitted Offer format, delivery, and site visit requirements.

OFFER CRITERION # 1: PROPOSED USE AND BUSINESS PLAN

This section outlines what information the Offeror must provide with their Offer as it pertains to the Offeror's proposed use and business plan. An Offer should demonstrate a well thought out proposed use and business plan that positions the proposed use for success.

PROPOSED USE

Offerors should describe in their Offers how their proposed use addresses the following:

1) PROPOSED USE:

Describe what type of use the Offeror plans to engage in. The Offeror should state whether the proposed use is permitted under current applicable laws including without limitation to zoning, and if not, the Offeror's plan for obtaining approval for its proposed use.

1) APPROPRIATENESS:

Describe how the proposed use would complement the broader community context and may benefit the community or provide an amenity to neighboring residents or workers. Offerors are encouraged to obtain community feedback on the proposed use, for example by contacting the Advisory Neighborhood Commission for input. Square 2892 Lot 0105 is located within Advisory Neighborhood Commission 1A, which may be contacted at 1A08@anc.dc.gov

B) BUSINESS PLAN

Offerors should provide a narrative description of their business plan, for the ongoing use of the property including details on their business mission and objectives, operations plan, and projected annual revenue derived from the use of the property.

1) OPERATIONS PLAN:

Describe how the offeror's proposed business will operate. Describe what the offeror envisions the property to look like when fully built-out or utilized. Describe how many employees will work at the property. Provide the name, title, and job description of key personnel who will run this business. Provide an estimate (in months) for how long the offeror anticipates it will take from closing to ready the property for use or occupancy.

2) PROJECTED ANNUAL REVENUE:

Provide an annual revenue forecast for the first 3 years of operation.

3) FIRST SOURCE AND CERTIFIED BUSINESS ENTERPRISE UTILIZATION:

The District is committed to promoting hiring of District residents and ensuring participation and inclusion of Certified Business Enterprises ("CBE") – and, in particular, Local Small Disadvantaged Business Enterprises ("LSDBE") – in the contracting opportunities derived from the use of District-controlled property. Offerors who commit to contracting with CBE's and/or LSDBE's will be viewed more favorably than those who do not. A successful Offeror will be required to execute a CBE and First Source Agreement with the District. For more information on First Source Agreements please contact the Department of Employment Services, DeCarlo Washington at decarlo.washington@dc.gov. For more detailed information on CBE utilization please visit DSLBD's website at <http://dslbd.dc.gov> or call (202) 727-3900.

OFFER CRITERION # 2: OFFEROR QUALIFICATIONS

(FINANCIAL CAPACITY AND OFFEROR IDENTIFICATION INFORMATION)

This section outlines what information the Offeror must provide with their Offer as it pertains to the Offeror's financial capacity and prior experience.

A) FINANCIAL CAPACITY

Offerors must describe and demonstrate their financial capacity to pay all costs associated with the purchase of the property.

1) SOURCES AND USES FUND STATEMENT:

Offerors should provide a "Sources and Uses Fund Statement". This statement should provide an account of where the Offeror will obtain funding for the purchase of the property.

CONSTRUCTION AND TENANT BUILD OUT BUDGET:

As indicated in Section # 2, General Property Description & Space Condition, the District will convey the Property in its "**AS-IS**" WHERE IS" condition with all faults, and without any representations or warranties whatsoever, and the Property shall be conveyed via a deed in the form of which is in the sole discretion of the District.

FINANCIAL STATEMENTS:

Offerors should provide the following financial statements:

- a) Federal Tax Returns for the past two years.
- b) DC or State Tax Returns for the past two years.
- c) Certified or Audited Financial Statements for the past two years.

The above financial statements should be for either an existing business operation or, if none, then the Offeror's individual financial statements. If the Offeror will be a business partnership with more than one partner, then financial statements must be provided for all partners. For new businesses, where certified or audited financial statements are not available, the Offeror must provide personal financial statements demonstrating net worth.

2) FINANCING COMMITMENT LETTERS:

If the Offeror plans to fully self-fund the purchase price, then this financial capacity must be demonstrated in the Sources and Uses Fund Statement and the financial statements required above. If the Offeror will need or plans to obtain additional funds through equity or debt financing, then the Offeror must provide copies of commitment letters from its investors and or lenders.

DGS reserves the right to request additional financial information, in its sole discretion.

B) OFFEROR IDENTIFICATION INFORMATION:

OFFERORS MUST PROVIDE THE FOLLOWING INFORMATION TO THE DISTRICT:

1) CONTACT INFORMATION:

OFFEROR'S FULL ADDRESS AND CONTACT INFORMATION.

2) CERTIFICATE OF GOOD STANDING AND CLEAN HANDS:

IF THE OFFEROR is a business entity a Certificate of Good Standing from the District's Department of Consumer and Regulatory Affairs; and regardless of whether the offeror is an individual or business entity a certificate of Clean Hands which demonstrates the individual and/or business has no outstanding tax liability with the District of Columbia. A Certificate of Clean Hands may be obtained by

contacting the District's Office of Tax and Revenue at (202) 727-4829 or at the following website:
<http://otr.cfo.dc.gov/otr/cwp/view,A,1329,Q,637465.asp>

3) BUSINESS LICENSE:

A COPY OF ANY BUSINESS LICENSES APPLICABLE TO THE PROPOSED USE. BUSINESS LICENSES ARE ISSUED THROUGH THE DISTRICT OF COLUMBIA'S DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS (DCRA). DCRA MAY BE CONTACTED AT (202) 442-4400 OR AT WEBSITE: <http://www.dc.gov/DC/DCRA>

4) DISTRICT RESIDENT STATUS:

OFFERORS SHOULD INDICATE IF, AND TO WHAT EXTENT, ITS PRINCIPALS AND KEY PERSONNEL ARE DISTRICT OF COLUMBIA RESIDENTS. DISTRICT OF COLUMBIA RESIDENTS WILL RECEIVE A PREFERENCE OVER NON-DISTRICT OF COLUMBIA RESIDENTS.

OFFER CRITERION # 3: FINANCIAL OFFER

Offeror's offer to purchase the property must include the following components: purchase price, due diligence period, and number of days from approval of the DC Council Disposition Resolution to a proposed anticipated closing date. **An Offer which does not include these components will be deemed an unresponsive offer.**

As stated previously, all costs, expenses and obligations of every kind and nature whatsoever relating to the purchase of the Property however; The District will use the Offeror's Financial Offer for Evaluation Criterion #3, as described below in Section # 5, (Selection and Negotiation"), the District reserves the right to negotiate final terms and conditions based on the totality of the financial and other terms in the Offer.

Section # 4: Submission Requirements

All Offers must be submitted pursuant to the following requirements, or risk being deemed non-responsive (in the sole and absolute discretion of the District).

FORMATTING

- **Page Limit:** Offers should not exceed twenty-five (25) pages.
- **Copies:** Offerors should provide five (5) hard copies and one (1) electronic copy of the written Offer in 12 point font size on 8.5" x 11" paper. Electronic copies should be in PDF format and may be submitted via email to regina.payton@dc.gov
- Overly elaborate proposals are neither necessary nor desired.

DELIVERY

- **DELIVERY:** EACH OFFER SHALL BE DELIVERED BY HAND OR COURIER TO THE CONTACT IDENTIFIED IN THE BOX BELOW. EACH OFFER SHALL BE SUBMITTED IN A SEALED ENVELOPE CONSPICUOUSLY MARKED: **"OFFER IN RESPONSE TO RFO FOR SQUARE 2892 LOT 0105 (GEORGIA AVENUE DATED 3/17/2016)"**. FACSIMILE OFFERS WILL NOT BE ACCEPTED. EMAIL SUBMISSIONS WILL BE ACCEPTED ONLY FOR THE ELECTRONIC COPY REQUIRED ABOVE. AN EMAIL TRANSMITTING THE ELECTRONIC COPY OF AN OFFER MUST CONTAIN THE SUBJECT LINE **"ELECTRONIC COPY: OFFER IN RESPONSE TO RFO FOR SQUARE 2892 LOT 0105 GEORGIA AVENUE DATED 3/17/2016"**.
- **DEADLINE:** BOTH HARD AND ELECTRONIC COPIES OF OFFERS MUST BE SUBMITTED NO LATER THAN THE RESPONSE DEADLINE SPECIFIED IN SECTION # 5.

OFFER AND OFFEROR

OFFERS SHOULD RESPOND TO EACH RFO ITEM IN THE ORDER OUTLINED IN SECTION # 3 WITH EACH ITEM MARKED BY A HEADING TO INDICATE THE OFFER CRITERION NUMBER AND SUB-SECTION IF APPLICABLE.

CLARIFYING QUESTIONS

Any questions regarding this RFO should be submitted **via e-mail only** to the contact listed in the box below. Offerors shall not direct questions to any other person affiliated directly or indirectly with the District. **Questions submitted later than five (5) business days prior to the submission deadline identified in Section 5 may not be answered.** The text of any Offeror questions, any responses thereto, and any other clarifications will be posted to the Department of General Services website at: <http://DGS.dc.gov>.

Regina Payton
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2000 14th Street NW, 8th floor
Washington, DC 20009
regina.payton@DC.Gov

Section # 5: Selection Process

TIMETABLE FOR EVALUATION OF RFO RESPONSES

THE DISTRICT WILL ENDEAVOR TO FOLLOW THE TIMETABLE SET FORTH BELOW; HOWEVER, THIS TIMETABLE IS ONLY A GUIDELINE AND IS SUBJECT TO CHANGE IN THE DISTRICT'S SOLE DISCRETION. ANY CHANGES WILL BE POSTED AT THE DGS WEBSITE: <http://DGS.dc.gov>.

RFO ISSUED:	<i>FEBRUARY 17, 2016</i>
OFFERS DUE:	<i>MARCH 17, 2016, NO LATER THAN 2:00 PM</i>
NOTIFICATION:	<i>APRIL 17, 2016</i>

SELECTION AND NEGOTIATION

The District will evaluate all proposals based on the responses to the offer criteria in Section # 3. The Offer Criteria will be weighted as follows for evaluation purposes:

OFFER CRITERION # 1: PROPOSED USE	35.00%
OFFER CRITERION # 2: OFFEROR QUALIFICATIONS	25.00%
OFFER CRITERION # 3: FINANCIAL OFFER	40.00%
Total	100.00%

Only responsive Offers will be evaluated. The District will determine, in its sole discretion, whether each Offer received in response to this RFO is a responsive Offer.

A Selection Panel will be established to review and evaluate the Offers. The composition of the Selection Panel will be determined by the District, in its sole discretion. In addition, the Selection Panel may consult with

professional outside consultants and outside contractors for technical assistance in the District's sole discretion.

Upon receipt of Offers, the District, in its sole and absolute discretion, may choose to:

1. Require oral presentations by Offerors to the Selection Panel;
2. Select a "short list" of Offerors and require additional information from the short-listed Offerors, or that the short list modify their Offers or provide a "Best and Final Offer" for the District's review;
3. Enter into exclusive negotiations with one or more selected Offeror(s) without requesting more detailed information or selecting a short list of Offerors;
4. Request more detailed information, leading to a final Offeror(s) selection of an offeror;
5. Take no action on the Offers received and or cancel this RFO.

The Selection Panel will select, in its sole and absolute discretion, one or no Responsive Offer. Upon completion of the review and selection processes, DGS shall notify the selected Offeror, if any.

If one Offeror is chosen, the parties shall proceed to negotiate final terms consistent with the selected Offeror's proposed terms. If the District and the selected Offeror are unable to agree on a final purchase agreement within sixty (60) days of the receipt by Offeror of the selection letter, the District, in its absolute and sole discretion, may terminate negotiations and (i) select a different Offeror that responded to the RFO; (ii) re-issue the RFO; or (iii) take such other measures as it deems reasonable, appropriate, and/or necessary.

UPDATES AND MODIFICATIONS

The Department of General Services shall post on its website (<http://DGS.dc.gov>) any notices or information regarding cancellations, withdrawals, modifications to deadlines, and other modifications to this RFO. Offerors shall have an obligation to check the website for any such notices and information, and the District shall have no duty to provide direct notice to Offerors.

NO CONFLICTS OF INTEREST

By submitting an Offer, the Offeror represents and warrants the following to the District.

1. The compensation to be requested, offered, paid or received in connection with this RFO has been developed and provided independently and without consultation, communication or other interaction with any other competitor for the purpose of restricting competition related to this RFO or otherwise.
2. No person or entity employed by the District or otherwise involved in preparing this RFO on behalf of the District: (i) has provided any information to potential Offerors which was not made available to all entities potentially responding to this RFO; (ii) is affiliated with, or employed by, or has any financial interest in any potential Offeror; (iii) has provided any assistance to potential Offeror in responding to this RFO; or (iv) will benefit financially if any Offeror is selected in response to this RFO.
3. The Offeror has not offered or given to any District officer or employee any gratuity or anything of value intended to obtain favorable treatment under this RFO, or any other solicitation or other contract, and Offeror has not taken any action to induce any District officer or employee to violate the rules of ethics governing the District and its employees. Offeror has not and shall not offer, give or agree to give anything of value either to the District or any of its employees, agents, job shoppers, contractors, consultants, managers or other person or firm representing the District, or to a member of the immediate family (i.e., a spouse, child, parent, brother or sister) of any of the foregoing. Any such conduct shall be deemed a violation of this RFO. As used herein, "anything of value" shall include

but not be limited to any (a) favors, such as meals, entertainment, transportation (other than that contemplated by this RFO, if any, or any other contract with the District), etc., which might tend to obligate a District employee to Offeror, and (b) gift, gratuity, money, goods, equipment, services, lodging, discounts not available to the general public, offers or promises of employment, loans or the cancellation thereof, or preferential treatment or business opportunity. Such term shall not include work or services rendered pursuant to any other valid District contract.

Section # 6: Reservation of Rights and Miscellaneous Provisions

- **DGS reserves the right to:**

- Cancel or withdraw the RFO at any time prior to or after the submission deadline;
- Modify or issue clarifications to the RFO prior to the submission deadline;
- Reject any submission that it deems incomplete or unresponsive;
- Reject all submissions that are submitted under the RFO;
- Consider one or more Offers that are noncompliant with the Solicitation requirements;
- Modify the deadlines for submissions or other actions;
- Reissue (i) the RFO, (ii) a modified RFO, or (iii) a new solicitation or request for offers whether or not any submissions have been received in response to the initial RFO issuance;
- Subdivide the Solicitation into multiple, separately negotiated components; and
- Enter into negotiations with one or more Offerors based on Offers submitted in response to the Solicitation.

DGS may exercise one or more of these rights, in its sole discretion, as it deems necessary, appropriate, or beneficial to the District.

- **Change in Offeror Information**

If information provided in a submission changes (e.g., changes or additions to any of the Offeror's team members, or new financial information) the Offeror shall provide updated information in the same format for the appropriate section of the RFO, and DGS may consider the modified submission.

- **Ownership and Use of Submissions**

All submissions shall be the property of the District. The District may use any and all ideas in any submission, whether the submission is selected or rejected. No Offeror shall be entitled to compensation or reimbursement of costs in connection with its submission of an Offer in response to this RFO.

- **Further Efforts**

DGS may request that Offerors clarify their submissions and/or submit additional information pertaining to their submissions. DGS may request best and final submissions from any Offeror and/or request an oral presentation from any Offeror.

- **Restricted Communications**

Upon release of this RFO and until the end of the notification period set forth in Section 5, above, potential Offerors shall not communicate with DGS, or other District staff about the RFO or issues

related to the RFO except as authorized in this RFO or in public meetings called in connection with this RFO.

- **Limitation on the District's Authority to Convey**

Offerors should be aware that the District's disposition of certain real property interests is subject to prior D.C. Council authorization in accordance with D.C. Official Code § 10-801 as may be amended from time to time (2007 Supp.). Nor can the District obligate itself to expend any funds without first obtaining lawfully appropriated funds for such purpose. DGS makes no commitment (nor is authorized to make any commitment) to enter into any contract, and does not intend to proceed with any proposed project, until all applicable laws have been satisfied.

- **Confidentiality**

Submissions and all other information submitted in response to this RFO are subject to the District's Freedom of Information Act (D.C. Official Code § 2-531, et seq.) as may be amended from time to time ("FOIA"), which generally mandates the disclosure of documents in the possession of the District upon the request of any person, unless the content of the document falls within a specific exemption category. An example of an exemption category is "trade secrets and commercial or financial information obtained from outside the government, to the extent that disclosure would result in substantial harm to the competitive position of the person from whom the information was obtained." If an Offeror provides information that it believes is exempt from mandatory disclosure under FOIA ("Exempt Information"), the Offeror shall include the following legend on the title page of the submission:

THIS OFFER CONTAINS INFORMATION THAT IS EXEMPT FROM MANDATORY DISCLOSURE UNDER THE
DISTRICT'S FREEDOM OF INFORMATION ACT

In addition, on each page that contains information that the Offeror believes is exempt from mandatory disclosure under FOIA, the Offeror shall include the following separate legend:

THIS PAGE CONTAINS INFORMATION THAT IS EXEMPT FROM MANDATORY DISCLOSURE UNDER THE
DISTRICT'S FREEDOM OF INFORMATION ACT

On each such page, the Offeror shall also specify the Exempt Information and shall state the exemption category within which it believes the information falls.

Although DGS will generally endeavor not to disclose information designated by the Offeror as Exempt Information, DGS will independently determine whether the information designated by the Offeror is exempt from mandatory disclosure. Moreover, exempt information may be disclosed by DGS, at its discretion, unless otherwise prohibited by law, and the District shall have no liability related to such disclosure.

- **Non-Liability**

By participating in the RFO process, the Offeror agrees to hold the District, its officers, employees, agents, representatives, contractors and consultants harmless from any all damages, claims, liabilities, and costs related to all aspects of this RFO.

- **Brokers and brokerage fees**

Offeror will be responsible for and shall pay for, any and all commission or fees due to Offeror's broker, if any, pursuant to a separate agreement. The District does not offer, nor will it provide any broker compensation, commission or fee.

- **Selection Non-Binding**

The selection by the District of an Offeror does not constitute a commitment by the District to execute a final agreement or contract with the Offeror.

Exhibit A: Property Details

1) PHOTOGRAPH



The Property is shown as the small bolded rectangle contained within the red diagonally shaded area. Offerors use of this map is at their own risk as this depiction is made with n representations or warranties by the District whatsoever.



