



INSTRUCTIONS

REQUESTS FOR COMPETITIVE BIDS

The Philadelphia Redevelopment Authority ("PRA") issues properties for competitive bid (each, a "Request for Bid") and seeks competitive bids (each, a "Bid") from responsive developers (each, an "Applicant"). Each Request for Bid is offered with a fact sheet that contains basic information about the property, including any restrictions on the property reuse and/or a base Bid price. Applicants are provided with minimum thirty (30) days to respond to the Request for Bid.

How to Submit a Bid

In order to submit a Bid, Applicants must submit a Property Application and other supporting information as listed in the checklist on page 8 of the Property Application Package.

Questions

All questions and requests for additional information should be directed in writing to RFP@pra.phila.gov with the property address in the subject line. Questions will be accepted until twenty-four (24) hours before the submission deadline of each Request for Bid, with the exception of questions about the submission process.

Submission Deadline

Submission deadlines for each Request for Bid are listed on the Bid fact sheet.

Submission Process

Property Application submission will be accepted in either of the following:

1. Online Submission – via PRA's website (<http://www.philadelphiaredevelopmentauthority.org/>); or
2. Hard Copy Submission – Submit one (1) original copy of the documentation and one electronic copy on a USB Flash Drive to the PRA via hand delivery or registered mail. Files on the USB Flash Drive may only be in Microsoft Word or Adobe PDF. Applicants may hand deliver or send Bids via registered mail to: Competitive Bids/Philadelphia Redevelopment Authority/1234 Market Street, 16th Floor/Philadelphia, PA 19107.

Scoring Criteria

The PRA will award each project to the Applicant that scores the highest according to the criteria explained below. Bid price is one of these criteria, though the project will not necessarily be awarded to the highest bidder. Discounted pricing will only be considered for bidders whose projects qualify under the terms of the City's Land Disposition Policies. Scoring factors used to select Bids are as follows:

1. **Project – Planned Use of Property (20 points)**
 - Quality of design concept
 - Appropriateness of proposed use program
 - Alignment with local community and context
 - Development timeline

2. Social Impact (15 points)

- Strength of project's social-impact (i.e., positive effect of the project on people and communities)
- Creativity and innovation
- Ability to define, quantify, evaluate and track measurable outcomes relating to social impact

3. Economic Opportunity and Inclusion (15 points)

- Goals for M/W/DBE inclusion
- M/W/DBE Firms comprising the Applicant team
- Commitment to diverse Workforce
- Track record of economic inclusion and minority workforce inclusion

4. Experience and Competence (20 points)

- Competence and experience of Applicant
- Track record on similar projects
- Suitability for this specific development opportunity
- History of team partnership (if applicable)
- Experience working with PRA and/or other public entities

5. Financial Feasibility (30 points)

- Bid Price
- Financing plan
- Feasibility of project budget
- Evidence of Applicant financial capacity

As-Is Condition

The Applicant is solely responsible for all due diligence, including all costs of permitted engineering, structural, geo-technical planning and environmental studies required for construction on the property offered in the Request for Bid (the "Property"). The PRA makes no warranty or representation concerning the existence of any structural deficiencies, geo-technical deficiencies and/or environmental contamination on the Property, or upon any adjoining land or improvements, and the PRA is not now or at any time hereafter under any circumstance responsible for any of such conditions or for the analysis, care or remedy thereof. The Property will be transferred in its "as-is" condition and the selected Applicant is solely responsible for all structural, geo-technical and environmental repairs, stabilization and/or remediation required for construction on the Property. Any plans submitted pursuant to this Request for Bids should consider and address the foregoing obligations and requirements.

Developer Selection

The PRA may select an Applicant from a Request for Bid, or may select no successful Applicant. Once selected, PRA may enter into an exclusive negotiating relationship with the selected Applicant. However, PRA is under no obligation to sell the property to the selected Applicant, and may cancel its negotiating relationship with the selected Applicant at any time. In order to enter into an Agreement with the selected Applicant, PRA requires approval of its Board, City Planning Commission, and City Council. PRA will also seek written support from the Councilperson in whose district the Property is located.

Related Parties

An Applicant, whether an individual or business entity, may submit only one response to the Request for Bid. Applicants that are related to each other or business entities that are legally related to each other or to a common entity may not submit separate Bids. The PRA, in its sole and absolute discretion, retains the right to reject any Bid where: 1) Applicants or principals of Applicants are substantially similar or substantially related parties; or 2) the PRA has determined that the

Applicant has violated these conditions or the spirit of these conditions.

Proposal Deposit

Once selected, the Applicant must provide a deposit of ten percent (10%) of the total Bid price (the "Proposal Deposit") within thirty (30) days of selection notification by the PRA. The Proposal Deposit must be submitted in one of the following forms, in order of preference: a cashier's check, certified check, or money order made payable to the "**Philadelphia Redevelopment Authority**." The Proposal Deposit of the selected Applicant for the Property will become "hard" money upon execution by the selected Applicant of the Development/Redevelopment Agreement and approval of the Development/Redevelopment Agreement by the PRA Board. The Proposal Deposit will be credited toward the security completion deposit and ultimately refunded at completion with the issuance of a Certificate of Completion.

Reservations and Options

When an Applicant is selected, the PRA may decide to issue that Applicant a Reservation Letter or Option Letter prior to entering into a Development/Redevelopment Agreement with that Applicant. Reservation and Option Letters are used to allow the selected Applicant to carry out due diligence for a reasonable period of time, determined based on the complexity of the site and timing of financing.

Tax Clearance and Open Violations

PRA does not do business with any individual or entity who is noncompliant on City obligations or who has open L+I violations. PRA extends this policy to related parties and entities. PRA may make administrative exceptions for applicants who are current in a payment plan with Department of Revenue or in active appeal; for applicants who are actively appealing violations or bringing violations on recently purchased property into compliance; and when violations are minor. PRA may carry out a search with Department of Revenue and L+I to verify compliance at any time during the process, and shall withhold advancing an applicant at any stage in the process (including postponing or canceling settlement) if the applicant is unable to become compliant within a reasonable period of time.

Fee Schedule

PRA has a Fee Schedule available on its website with current activities and associated fees that may be charged to Applicants. Please review this Fee Schedule as it may impact Applicant's project budgets and closing costs.

Disposition Process

After the PRA reviews the Bids and an Applicant's Bid is selected, approvals from the PRA Board, City Planning Commission and City Council must be obtained before the PRA can execute the Development/ Redevelopment Agreement and construction can commence. Following is a general sequence of events in this approval process:

1. PRA review and approval of schematic architectural plans, and all financial documents;
2. Execution of Development/Redevelopment Agreement by the selected Applicant. At this time the Proposal Deposit is credited toward the deposit required under the Development/Redevelopment Agreement;
3. City Planning Commission approval of the Development/Redevelopment Agreement;
4. PRA Board approval of the Development/Redevelopment Agreement;
5. City Council approval of the Development/Redevelopment Agreement;
6. Execution of the Development/Redevelopment Agreement by PRA;
7. Settlement and transfer of title to the Property. At this time PRA requires proof of construction financing;
8. Pre-construction conference;
9. Construction period;
10. Review of the completed development to determine compliance with the Development/Redevelopment Agreement. If the development is found to be in compliance with the Agreement, PRA issues a Certificate of Completion and the security completion deposit is returned.

The selected Applicant shall be responsible for securing and paying all costs associated with all permits, licenses, approvals, lot line relocation, or variances necessary to comply with the development controls, City code, and the approved architectural plans.

Events of Disqualification or Default

Subsequent to the selection of an Applicant, and before execution of a Development/Redevelopment Agreement, the PRA may treat any of the following as an event of disqualification or default:

1. Unilateral withdrawal by the selected Applicant;
2. Failure to proceed substantially in accordance with the Bids as submitted;
3. Failure by the selected Applicant for any reason whatsoever to timely execute the Development/Redevelopment Agreement when tendered;
4. Material misrepresentation, omission, or inaccuracy contained in any document submitted either as part of the Bid, or subsequent thereto. For the purposes of this section, the PRA places particular importance on the information required by the Applicant's Statement of Qualifications and Financial Responsibility and the Applicant's Statement for Public Disclosure;
5. Failure to provide in a timely manner the additional material required after selection throughout the PRA disposition process.

Remedies

Upon the happening of an event of disqualification or default by the selected Applicant, PRA shall have the right, at its election, to:

1. Rescind its selection of the Applicant; or
2. Declare null and void a Development/Redevelopment Agreement that may already have been executed; and/or
3. Retain the Proposal Deposit as liquidated damages.

Declarations and Other Information

Economic Inclusion: If Applicant is a certified "M/W/DBE," defined as, collectively, Minority Business Enterprises ("MBE"), Woman Business Enterprises ("WBE"), or Disabled Business Enterprises ("DBE"), please submit information to confirm certification as part of Bid. The PRA strongly encourages and promotes the employment of qualified M/W/DBE firms in all aspects of its procurement of goods and services.

Tax Clearance and Conflict of Interest Form: Applicant, upon request of the PRA, must provide evidence satisfactory to the PRA that all municipal taxes, including business taxes, real estate, school, water and sewer charges, and L&I liens, if applicable, are current for both the individual Applicant and the Applicant's firm and neither is currently indebted to the City; will at any time during the term of the agreement be indebted to the City, for or on account of any delinquent taxes, liens, judgments, fees or other debts for which no written agreement or payment plan satisfactory to the City has been established. Please complete the Philadelphia Tax Status Certification and Conflict of Interest form and submit it with your Bid.

Campaign Contribution Disclosure Forms: Please complete the applicable disclosure forms and submit with your Bid.

Reservation of Rights

By submitting a Bid in response to a Request for Bid, an Applicant must affirmatively acknowledge: (i) its acceptance of the terms and conditions of the Request for Bid; and (ii) that the PRA may exercise in its sole discretion, at any time and without notice to any Applicant, the following rights:

1. to reject any and all Bids;
2. to supplement, amend, substitute, modify or re-issue the Request for Bid with terms and conditions

- materially different from those set forth here;
3. to cancel the Request for Bid with or without issuing another Request for Bid;
 4. to extend the time period for responding to the Request for Bid;
 5. to solicit new Bids;
 6. to conduct personal interviews with any Applicant to assess compliance with the selection criteria;
 7. to request additional material, clarification, confirmation or modification of any information in any and all Bids;
 8. to negotiate any aspect of a Bid, including price;
 9. to terminate negotiations regarding any and all Bids at any time;
 10. to expressly waive any defect or technicality in any Bid;
 11. to rescind a selection prior to contract execution if the PRA determines that the Bid does not conform to the specifications of the Request for Bid;
 12. to rescind a selection prior to contract execution if the PRA determines that the specifications contained in the Request for Bid are not in conformity with law or that the process in selection of a Bid was not in conformity with law or with the legal obligations of the PRA;
 13. in the event a contract is awarded, the successful Applicant or Applicants shall procure and maintain during the life of the contract liability insurance in an amount to be determined prior to the award of any contract;
 14. in the event a contract is awarded, all Applicants agree to perform their services as an independent contractor and not as an employee or agent of the PRA;
 15. in the event a contract is awarded, all Applicants agree that no portion of performance of the contract shall be subcontracted without the prior written approval of the PRA; and
 16. each Applicant agrees to indemnify, protect and hold harmless the PRA from any and all losses, injuries, expenses, demands and claims against the PRA or the City of Philadelphia sustained or alleged to have been sustained in connection with or resulting from (i) the submission of the Applicant's Bid; (ii) the delivery by the Applicant to the PRA of any other documents or information; and (iii) any other conduct undertaken by the Applicant in furtherance of or in relation to the Applicant's Bid. Each Applicant agrees that its duty to indemnify and hold harmless shall not be limited to the terms of any liability insurance, if any, required under this Request for Bid or subsequent contract.

The PRA is under no obligation whatsoever to any Applicant as a result of a Request for Bid. A Request for Bid does not represent any commitment on the part of the PRA to any Applicant or the project. In no event shall the PRA be responsible for any cost, expense or fee incurred by or on behalf of an Applicant in connection with a Request for Bid. Applicant shall be solely responsible for all such costs, expenses and fees.

NOTICE: The Philadelphia Redevelopment Authority is subject to the Pennsylvania Right to Know Law. Any information provided in your response to a Request for Bid may be subject to disclosure to the public.