



TOWN OF TRUCKEE

REQUEST FOR BIDS

For The Sale of Real Property and Construction of Affordable Housing

Town of Truckee, County of Nevada, California

UPDATED BID ADVERTISEMENT DATE: February 12, 2020

BID OPENING DATE: February 24, 2020 at 5:00 p.m.

UPDATED: February 12, 2020

NOTICE TO BIDDERS

Notice is hereby given that sealed bids will be received by the Town Clerk of the Town of Truckee for the purchase of the real property described below, at the Truckee Town Hall, 10183 Truckee Airport Road, Truckee, CA 96161 until **February 24, 2020 at 5:00 p.m.**, at which time they will be publicly opened and read. Bids must be submitted on forms provided by the Town. All documents will also be located on the Town of Truckee web site (www.townoftruckee.com). Persons wishing to submit a bid shall register their name and contact information with the Town. Bidders are solely responsible for ensuring they receive updates and addenda.

PROPERTY TO BE SOLD AND DEVELOPMENT REQUIREMENTS

The Town of Truckee owns a parcel of real property approximately 4.87 acres in size, APN 019-410-046-000, located on Rue Ivy in Truckee ("Property"). Pursuant to California Government Code Section 54222(f)(1)(F), the Town has opted to engage in a competitive bidding process for the sale of the Property for the construction of housing affordable to persons of low or moderate income ("Project"). The Property is adjacent to an existing affordable housing development and is zoned RM-10, which allows multi-family housing. Further details regarding development standards for this zone may be found in Title 18 of the Truckee Municipal Code, including Chapter 18.08.

The Town is interested in facilitating the construction of this housing as soon as possible, by a developer with experience in constructing affordable housing and with access to the capital or financing necessary for such construction. The sale of the Property will be accomplished through a disposition and development agreement or other document prepared by the Town, which will include the requirements set forth below. **All of the following requirements are non-negotiable; potential bidders uncertain of their ability to comply may wish to refrain from bidding:**

- The Project shall consist of not less than 60 apartments.
- At least 75% of the units (whether rental or owner-occupied) shall be affordable to lower income households, as defined by California Health & Safety Code Section 50079.5. "Affordable" shall mean "affordable housing cost" or "affordable rent" as defined in California Health & Safety Code Sections 50052.5 or 50053, as applicable.
- The remainder of the units (whether rental or owner-occupied) shall be affordable to lower income households or persons and families of low or moderate income, as defined by California Health & Safety Code Section 50093.
- The affordability requirements shall remain in place for a minimum of 55 years for rental housing and 45 years for ownership housing, and shall be evidenced by a recorded deed restriction.
- Notwithstanding the foregoing, in no event shall the maximum affordable sales price or rent level be higher than 20 percent below the median market rents or sales prices for the neighborhood in which the Property is located.
- Vertical construction on the Project shall commence not later than August 1, 2020 and shall thereafter proceed without interruption.
- The Town will have the right to repurchase the Property at the same price it was sold for in the event that the bidder has not timely commenced vertical construction or that construction thereafter ceases for any reason for a period of 90 days or more.

BIDDER QUALIFICATIONS

In order to ensure that the winning bidder can and will meet the requirements set forth herein, all bidders are required to possess certain minimum qualifications. Bids not meeting all of the requirements set forth herein will be deemed non-conforming and rejected. All bidders shall:¹

- Have developed a minimum of two multifamily housing projects in California, with a majority of each project consisting of units affordable to lower income households.
- Have operated a minimum of two such projects for a period of not less than five years apiece.
- Demonstrate that they either have the capital required to purchase the Property and construct the Project or have obtained firm commitments of adequate financing. Each bid shall provide the name of the lender, if any, which has committed to providing financing for the purchase of the Property and/or the development of the Project.

BID PROCESS

All Requests for Information (RFIs) shall be submitted via e-mail by 5 p.m. on February 14th to Seana Doherty, Town of Truckee Housing Program Manager, sdoherty@townoftruckee.com

Bid documents shall be enclosed in an envelope that shall be sealed and clearly labeled with the project title, name of bidder, and date and time of bid opening in order to guard against premature opening of the bid.

The Town reserves the right to retain all bids for a period of thirty (30) days for examination and comparison. The Town reserves the right to reject any and all bids and to waive any informality in such bids.

Once all bids are opened and reviewed to determine the lowest responsive and responsible bidder, the Town Council may approve the Agreement for the Sale and Development of the Property. Once the Town notifies the bidder of the award, the bidder will have ten (10) calendar days from the date of such notification to execute the agreement and supply the Town with all of the required documents and certifications.

The Town of Truckee hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

EXAMINATION OF PROPERTY AND DEVELOPMENT STANDARDS

The bidder shall examine carefully the bid, the characteristics of the Property, Town of Truckee development standards, and any other information which may be relevant to the bidder. Bidders are urged to visit the Property and by their own investigation satisfy themselves as to the existing conditions affecting the work to be completed as part of the Project. If the bidder chooses not to visit the Property or conduct investigations, s/he will nevertheless be charged with knowledge of conditions which reasonable inspection and investigation would have disclosed.

ADDENDA

The Town reserves the right to revise the Notice to Bidders prior to the bid opening date, or to advance the bid opening date forward by up to five (5) days upon by providing notice of the revised date to bidders not later than February 12, 2020. Revisions, if any, shall be made by written addenda, provided that a

¹ The Town recognizes that the bidding entity may be newly formed or otherwise lack experience, but may be under the control of owners with the required experience. The development and operation requirements may be satisfied if the entity which has developed and operated the projects is under majority common ownership with the bidding entity.

change in the bid opening date shall not require an addendum. All addenda issued by the Town shall be included in the bid. If the Town issues an addendum which includes material changes to the Project or other terms of sale of the Property less than 72 hours prior to the deadline for submission of bids, the Town will extend the deadline for submission of bids. The Town may determine, in its sole discretion, whether an addendum warrants postponement of the bid submission date. Each prospective bidder shall provide Town a name, address and email address or facsimile number to which addenda may be sent, as well as a telephone number by which the Town can contact the bidder. Copies of Addenda will be furnished by email, facsimile or other proper means of delivery without charge to all prospective bidders who have obtained a copy of the Notice to Bidders and provided current contact information. Please Note: Bidders are responsible for ensuring that they have received any and all addenda. To this end, each bidder should contact the Town Clerk's Department to verify that s/he has received all addenda issued, if any prior to the bid opening.

For further information, contact Seana Doherty, Housing Program Manager—phone 530-582-2492

TOWN OF TRUCKEE, CALIFORNIA

BID

BID for the Purchase and Development of the Rue Ivy Property

To the Town Council
Town of Truckee
10183 Truckee Airport Road
Truckee, CA 96161

Honorable Mayor & Members of the Council:

Pursuant to the foregoing Notice To Bidders, the undersigned declares that s/he has carefully examined the location, zoning, topography, and other characteristics of the Property; that s/he has examined the requirements for development of the Property, and hereby offers to purchase the Property and develop housing thereon in compliance with the requirements set forth in the Notice to Bidders.

If the bid amount is unreadable or otherwise unclear, or is omitted, the bid may be deemed irregular.

TOTAL BID PRICE:

\$ _____
Total Bid Price in Numbers

Total Bid Price in Written Form

The undersigned agrees that this Bid Form constitutes a firm offer to the Town which cannot be withdrawn for 30 days after the bid opening, or until a contract for the sale and development of the Property is fully executed by the Town and a third party, whichever is earlier.

The undersigned further agrees that in case of default in executing the required contract within ten (10) calendar days after the contract is approved by Town Council, the bidder's bid shall be invalidated.

If an individual, so state. If a firm or co-partnership, state the firm name and give the names of all individuals or co-partners composing the firm. If a corporation, state legal name or corporation, also names of President, Secretary, Treasurer, and Manager thereof.

BIDDER: _____

A/ AN: [INDIVIDUAL/ PARTNERSHIP/ CORPORATION/ ETC.] _____

STATE OF INCORPORATION: _____

CORPORATE OFFICERS: _____

AFFORDABLE HOUSING DEVELOPMENT AND OPERATING EXPERIENCE

Each bidder shall list at least two multi-family projects it has developed in California, the majority of units in each of which shall have been affordable to lower income households. Each bidder shall also list at least two affordable multi-unit projects which it has operated in California for a period of at least five years. Descriptions of such projects may be included below or on separate pages.

<u>PROJECT</u>	<u>DATE COMPLETE OR DATES OPERATED</u>	<u>DESCRIPTION</u>	<u>REFERENCE</u>

NONCOLLUSION DECLARATION
TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

The undersigned declares:

I am the _____ of _____, the party making the foregoing bid. The bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The bid is genuine and not collusive or sham. The bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid. The bidder has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or to refrain from bidding. The bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder. All statements contained in the bid are true. The bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the bidder.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on _____[date], at _____[city], _____[state].

Execution of the Bid Signature Page shall constitute execution of this declaration. Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

BID SIGNATURE PAGE

This bid is submitted for the purchase of the real property described herein, under the conditions set forth herein.

Bidder Name: _____

Signature: _____

Name & Title: _____

Mailing Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

Email Address: _____

Dated: _____