

CITY OF CARTERSVILLE, GEORGIA
REQUEST FOR PROPOSAL FOR PURCHASE AND DEVELOPMENT
OF CITY OWNED PROPERTY

BEING A PORTION OF BARTOW COUNTY TAX PAREL C074-0002-001, OFF OF WALNUT GROVE ROAD, CONTAINING 0.290 ACRES

RFP DATE: November 15, 2023

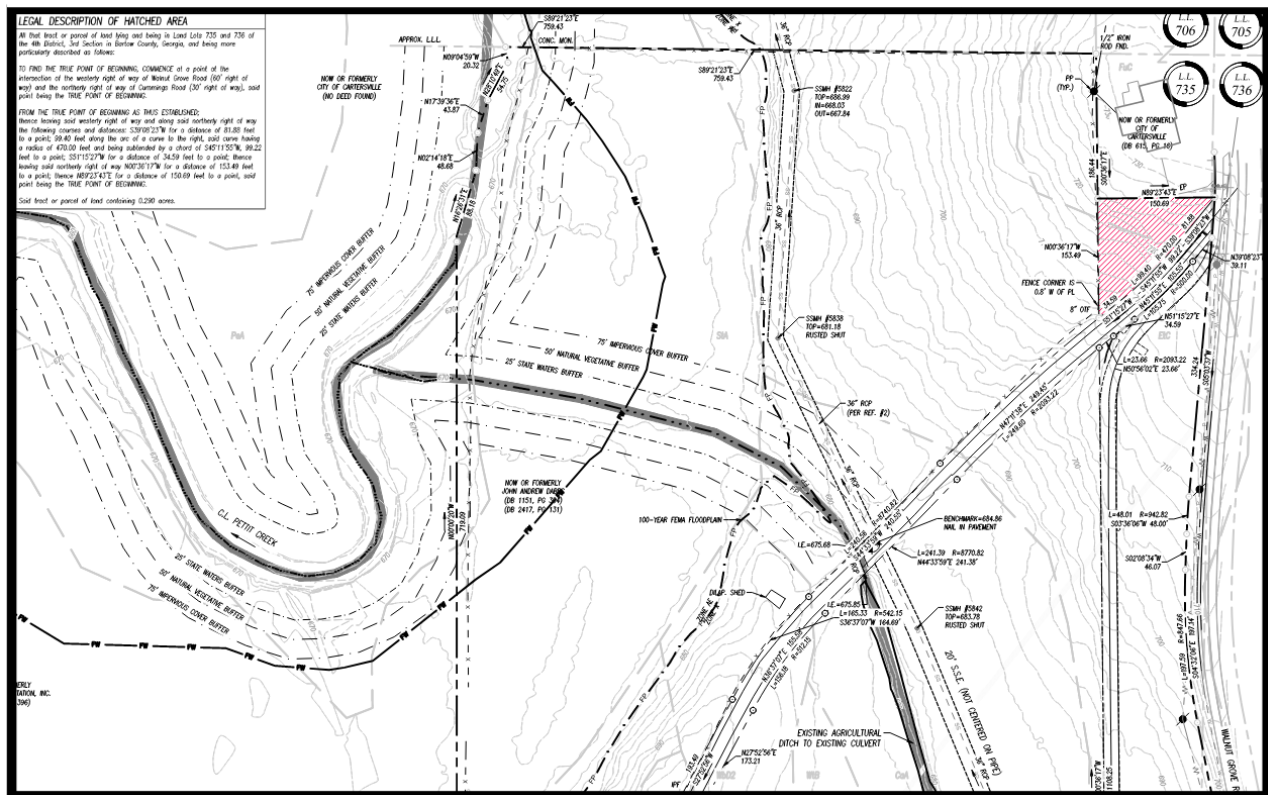


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SECTION 1

GENERAL INFORMATION, BACKGROUND AND INSTRUCTIONS

General

The opportunity presented in this Request for Proposal ("RFP") is generally described in the Scope of Services, and proposals must be submitted in accordance with the specifications in this RFP. Any proposal that does not conform fully to these instructions may be rejected, at the sole discretion of the City of Cartersville ("City").

City of Cartersville Organizational Structure

The City of Cartersville is seeking responses from individuals or companies ("Proposers") for proposals concerning the purchase and development of the Property identified in the "Procurement Objective" below.

All new development in the City of Cartersville must conform to the City's overall Development Regulations which were updated in May 2010. These regulations can be found online at:

https://library.municode.com/ga/cartersville/codes/code_of_ordinances?nodeId=COOR_CH7.5DERE

The City reserves the right to award the right to purchase and develop the Property (as defined hereinafter) to one Proposer. Individual firms and teams responding to this RFP must demonstrate the capability and resources to consummate the financial closing on, as well as the timely development of the Property awarded to them.

Property Description

The Property is comprised of one parcel totaling approximately 0.290 acres with frontage located along Walnut Grove Road. A legal description is attached hereto as Exhibit A.

Information and Inquiries

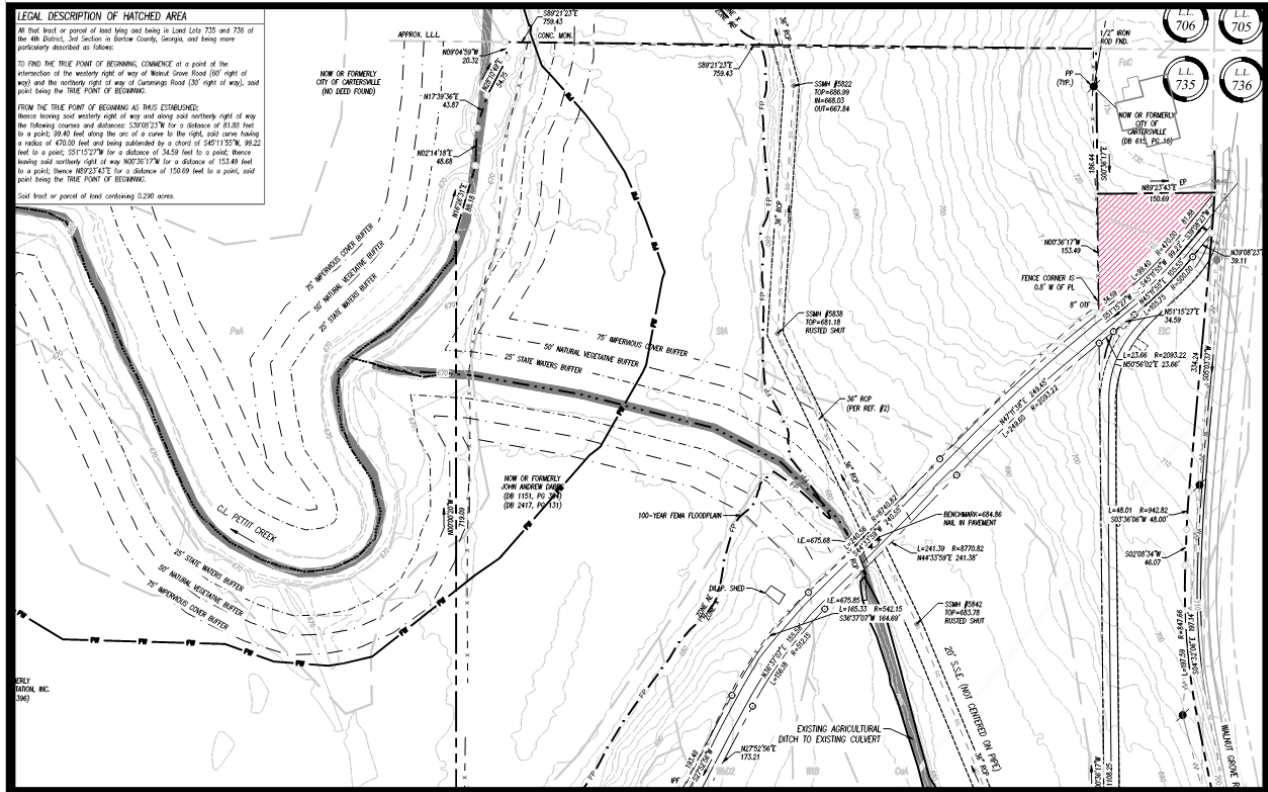
Inquiries regarding this RFP should be directed in writing via email to: Mike De Leon, Water System Engineer.

Email: mdeleon@cityofcartersville.org

Proposers must strictly limit their contact to this person when seeking information on matters related to the Property transaction or the selection process. Written questions or comments are the only permitted method of communication, and City responses will be disclosed to all Proposers by posting same on the City website, unless they are clearly of a proprietary nature (as determined by City). Improper contact may result in disqualification from this procurement process.

Procurement Objective

The City of Cartersville is seeking proposals for the purchase and/or trade for property located in the City Limits of the City of Cartersville and development of a City-owned parcel of land consisting of 0.290 acres of land lying and being in Land Lots 735 and 736, 4th District, 3rd Section, Bartow County, Georgia, and being a portion of Bartow County Tax Parcel C074-0002-001, off of Walnut Grove Road, as shown on the following survey:



The property use shall be consistent with the City of Cartersville’s Development Regulations.

Special Conditions:

1. Minimum bid price is \$4.60 per square feet for the property.
2. Minimum bid price is \$0.46 per square feet for the temporary construction easement.
3. A temporary construction easement shall be reserved for a period of one (1) year from date of closing on property purchase, as indicated on Exhibit “C”.

Reservation of Rights

The City expressly reserves the right to accept any Proposal, to reject any or all Proposals, to waive irregularities and/or informalities in any Proposal, and to make the Award in any manner which it believes to be in its best interest.

Reference Information Documents

In addition to the above, the City of Cartersville ordinance requirements for planning, zoning, building, and parking can be accessed via the website located at: https://library.municode.com/ga/cartersville/codes/code_of_ordinances or requested from the City's Planning & Development Department located at 10 N. Public Square, Cartersville, GA, whose general number is (770) 387-5600.

The Reference Information Documents (RID) packet will be made available to requesting potential Proposers by the City by operation of a limited access web site or file sharing location. Link will be provided upon request.

The City does not warrant or guarantee the accuracy of the Reference Information Documents provided under or otherwise described in this RFP. Rather, it is providing the related documents and information for background purposes only and not for any other purpose. Potential Proposers are not relieved of their responsibility – and are encouraged – to make personal investigations of the Property and all such Reference Information Documents, and shall determine to its own satisfaction the conditions to be encountered, the nature of the ground, the difficulties involved, and all other factors affecting the propriety of purchasing the Property, planning, designing and financing its development or redevelopment, as the case may be. Potential Proposers will assume all risk associated with the ownership of the Property. As and to the extent awarded, and contingent on execution of, and subject to the terms and conditions of, definitive documents and the related conveyance of title or interests therein to the winning Proposer, the Property will be conveyed "As is, where is" with all faults, latent or patent, and without warranty, express or implied.

Proposal Submissions and Clarifications; Open Government Laws

Proposals must be submitted in the proposal format required. Sealed Proposals will be accepted by the City, located at **1 N. Erwin Street, Cartersville, GA 30120 on or before 4:30 p.m. on December 15, 2023**. Each Proposal must be enclosed in a sealed envelope, endorsed across one end as follows: **RFP – Walnut Grove Road Property Purchase**. Proposals received after the deadline will be deemed unacceptable for further consideration. Regardless of the delivery method the Proposer is responsible for the actual delivery of the Proposals to the City's office as of the deadline. Each Proposer must agree to honor their Proposal for a period of sixty (60) days from the Proposal due date. All Proposals become the property of the City after the deadline whether awarded or rejected.

One (1) original Proposal shall be submitted and must be signed by an authorized official to bind the Proposer. By responding to this RFP, the Proposer agrees to hold the City harmless in connection with the release of any information contained in its Proposal.

All Proposers should obtain and thoroughly familiarize themselves with the Georgia Open Records Act (O.C.G.A. § 50-18-70, *et seq.*) and the Georgia Open Meetings Act (O.C.G.A. § 50-14-1, *et seq.*) (collectively, the "Open Government Laws") applicable to the issues of confidentiality and public information.

SECTION 2

PROPOSAL SCOPE OF PROJECT

Scope of Project

1. The Proposal must include a plan for development of the property.
2. The Proposal must include a statement that the Proposer agrees to defend, indemnify and hold harmless the City, its officers, employees and agents from and against all claims, lawsuits, losses and expenses including attorney's fees arising out of or resulting from the performance of this Award.
3. The Proposal must include the time period by which the proposed project will be initiated and completed. Failure to perform, initiate, and complete project components within an acceptable time period will trigger the City's ability to reclaim title on the property or exercise other remedies as will be provided in the Purchase and Sale Agreement or Option Agreement, as the case may be.

EXHIBIT A – LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 735 and 736 of the 4th District, 3rd Section in Bartow County, Georgia, and being more particularly described as follows: TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a point at the intersection of the westerly right of way of Walnut Grove Road (60' right of way) and the northerly right of way of Cummings Road (30' right of way), said point being the TRUE POINT OF BEGINNING. FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED; thence leaving said westerly right of way and along said northerly right of way the following courses and distances: S39°08'23"W for a distance of 81.88 feet to a point; 99.22 feet along the arc of a curve to the right, said curve having a radius of 470.00 feet and being subtended by a chord of S45°11'55"W, 99.40 feet to a point; S51°15'27"W for a distance of 34.59 feet to a point; thence leaving said northerly right of way N00°36'17"W for a distance of 153.49 feet to a point; thence N89°23'43"E for a distance of 150.69 feet to a point, said point being the TRUE POINT OF BEGINNING. Said tract or parcel of land containing 0.290 acres.

EXHIBIT B - PROPOSAL LETTER

(PROVIDE ON PROPOSER LETTERHEAD)

City of Cartersville

Xxxxxx

Ladies and Gentlemen:

The undersigned declares that this Proposal is made in good faith, without fraud or collusion with any person or persons submitting a proposal on the same transaction; that the undersigned has carefully read and examined the "Request for Proposal" documents, including the Reference Information Documents, and the Information and Instructions, Scope of Project, Information Required, all Addenda (if any), and understands them. The undersigned declares that it is fully informed as to the nature of and the conditions relating to the terms of sale of the Property.

The undersigned acknowledges that it has not received or relied upon any representations or warranties of any nature whatsoever from the City, or their respective agents or employees, and that this Proposal is based solely upon the undersigned's own independent investigation, due diligence, and business judgment.

If the City accepts this Proposal and the undersigned fails to enter into a definitive Purchase and Sale Agreement in a timely manner, then the undersigned shall be considered to have abandoned the Award. In submitting this Proposal, it is understood that the right is reserved by the City to accept any Proposal, to reject any or all Proposals, to waive irregularities and/or informalities in any Proposal, and to make the Award in any manner the City believes to be in its best interest.

COMPANY NAME*: _____

STREET/P. O. BOX: _____

CITY, STATE, AND ZIP CODE: _____

DATE: _____ TELEPHONE: _____

PURCHASE PRICE FOR .29 ACRES (Defined in EXHIBIT A): _____

PRICE PER SQUARE FEET FOR TEMPORARY CONSTRUCTION

EASEMENT (Defined in EXHIBIT C): _____

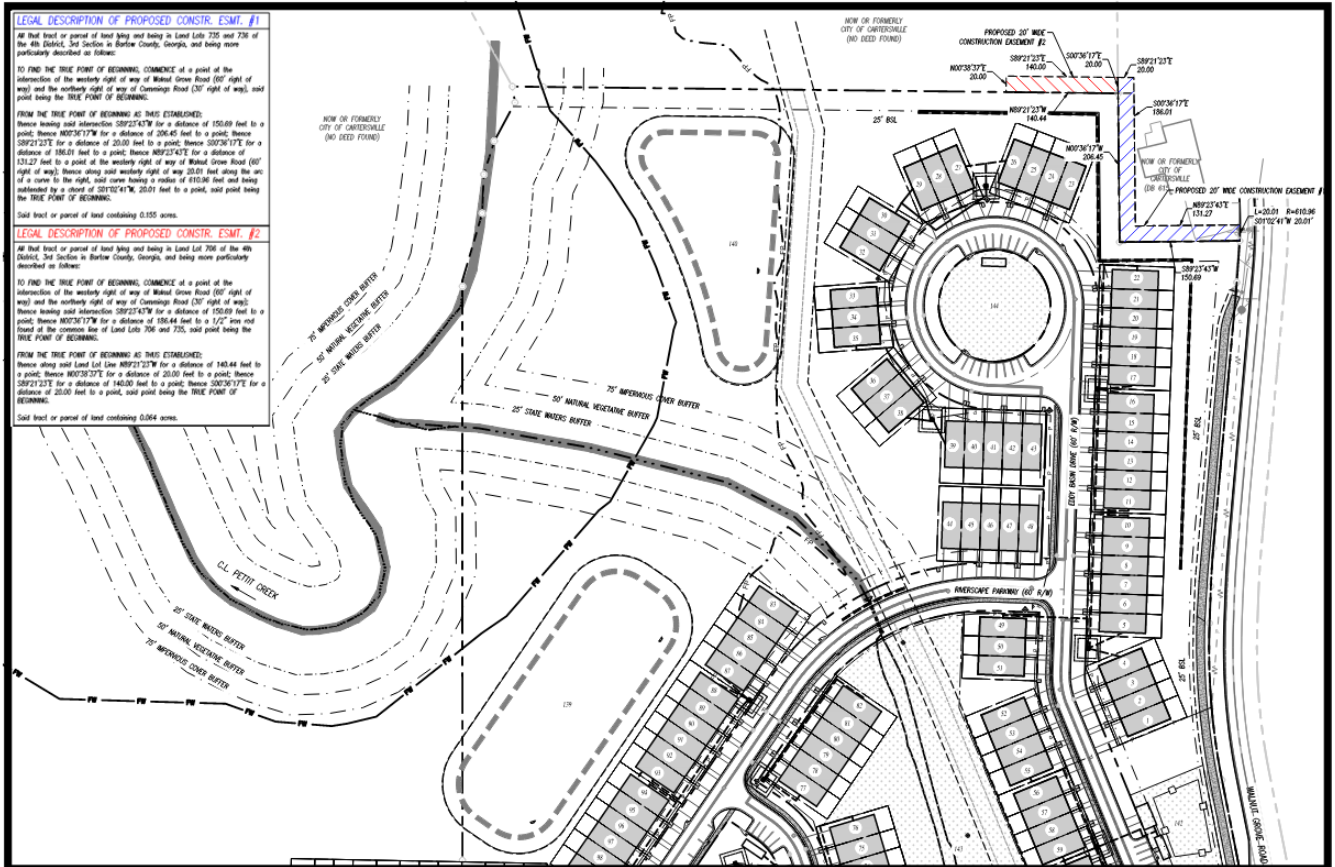
AUTHORIZED SIGNATURE: _____

PRINTED NAME OF SIGNER: _____

TITLE OF SIGNER: _____

* NOTE: If the PROPOSER is a corporation, the legal name of the corporation shall be set forth above together with the signature of authorized officer or agents. If PROPOSER is a partnership, the true name of the firm shall be set forth with the signature of the partners authorized to sign contracts on behalf of the partnership. If PROPOSER is an individual, his signature shall be placed above.

EXHIBIT C – TEMPORARY EASEMENT AREAS



LEGAL DESCRIPTION OF PROPOSED CONSTR. ESMT. #1

All that tract or parcel of land lying and being in Land Lots 735 and 736 of the 4th District, 3rd Section in Barlow County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE AT a point at the intersection of the westerly right of way of Walnut Grove Road (60' right of way) and the northerly right of way of Cummings Road (20' right of way), said point being the TRUE POINT OF BEGINNING.

FROM THE TRUE POINT OF BEGINNING AS THIS ESTABLISHED: Thence bearing said intersection S89°21'23"E for a distance of 155.69 feet to a point; thence N02°36'17"W for a distance of 206.45 feet to a point; thence S89°21'23"E for a distance of 20.00 feet to a point; thence S00°36'17"E for a distance of 186.01 feet to a point; thence N89°23'43"E for a distance of 131.27 feet to a point at the westerly right of way of Walnut Grove Road (60' right of way); thence along said westerly right of way 20.00 feet along the arc of a curve to the right, said curve having a radius of 810.06 feet and being indicated by a report of S89°23'43"E, 20.00 feet to a point, said point being the TRUE POINT OF BEGINNING.

Said tract or parcel of land containing 0.555 acres.

LEGAL DESCRIPTION OF PROPOSED CONSTR. ESMT. #2

All that tract or parcel of land lying and being in Land Lot 706 of the 4th District, 3rd Section in Barlow County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE AT a point at the intersection of the westerly right of way of Walnut Grove Road (60' right of way) and the northerly right of way of Cummings Road (20' right of way); thence bearing said intersection S89°21'23"E for a distance of 155.69 feet to a point; thence N02°36'17"W for a distance of 206.45 feet to a 1/2" iron rod found at the corner line of Land Lots 706 and 725, said point being the TRUE POINT OF BEGINNING.

Said tract or parcel of land containing 0.584 acres.