

REQUEST FOR PROPOSALS

City of Palm Springs acting as
Successor Agency to the Former
Palm Springs Redevelopment Agency

Sale of Real Property Located at
190 West Sunny Dunes Road
Palm Springs, CA 92262

APN 513-290-013: 6,970 square feet of vacant land

Proposals due by 5:00 p.m., December 14, 2017

I. INTRODUCTION

This is a Request for Proposals (RFP) by the Successor Agency to the Redevelopment Agency of the City of Palm Springs (“Successor Agency”) inviting proposals from qualified Proposers to purchase property located in the City of Palm Springs at 190 West Sunny Dunes Road, Assessor Parcel Number 513-290-013 (Property).

The former Redevelopment Agency of the City of Palm Springs owned the Property until the Redevelopment Agency was dissolved pursuant to ABX1 26 amended by AB 1484 and SB 107 (collectively the “Dissolution Law”) and codified in the California Health and Safety Code dissolved redevelopment agencies in California as of February 1, 2012. The Successor Agency is now responsible for disposing of the Property which was included in the Successor Agency’s Long Range Property Management Plan.

II. DUE DATE AND TIME

Proposals are due **THURSDAY, DECEMBER 14, 2017, by 5:00 P.M.**

III. BACKGROUND

The City of Palm Springs is a Charter City and was incorporated in 1938. Palm Springs is nestled at the base of the San Jacinto and Santa Rosa Mountains, approximately 60 miles east of Riverside. The City is a well-known resort destination with a year-round population of approximately 46,600 and a seasonal population that nearly doubles. Palm Springs not only prides itself on its resort amenities, but also on the village character it has been able to maintain. At the same time, Palm Springs has many major amenities typically found in cities with much larger populations, such as the Palm Springs International Airport, Convention Center, Palm Springs Art Museum, Aerial Tramway, Desert Regional Medical Center, a broad range of public services, and diverse residential neighborhoods. Open space and mountainous areas comprise almost half of the City’s total area and provide treasured natural recreation opportunities and habitat areas.

The City of Palm Springs is seeking interested parties to purchase the 6,970 square foot vacant property located at 190 West Sunny Dunes Road in Palm Springs, California (see Attachment A with map, legal description, and photographs). The Property is located just outside of the former Palm Springs Redevelopment Project Area, known as the South Palm Canyon Area, and was acquired by the former Redevelopment Agency in September 1991 through a Judgment and Final Order of Condemnation.

Pursuant to the Dissolution Law, all non-housing properties owned by the Redevelopment Agency were transferred to the Successor Agency. The Successor Agency addressed the disposition of the Property in its Long Range Property Management Plan (“LRPMP”) which was approved by the California Department of Finance on March 25, 2014. The Successor Agency is now seeking a qualified Proposer to purchase the Property.

The Dissolution Law provides for oversight of Successor Agency wind-down activities by an Oversight Board currently comprised of six members. The Successor Agency will review the proposals and transmit its recommendations to the Oversight Board. The Oversight Board will hold a public meeting to consider recommendations and will take

action on the recommendations. The Oversight Board's action on approval of a proposal will be submitted to the California Department of Finance.

The Property is surrounded by a mixture of new and old buildings used primarily for retail and service businesses and is located approximately one mile south of the City's downtown central business district.

IV. PROPOSAL REQUIREMENTS

The Successor Agency is seeking proposals from qualified Proposers to purchase the Property at not less than fair market value. The Property was acquired by the Palm Springs Community Redevelopment Agency through a Judgment and Final Order of Condemnation recorded by the County of Riverside in September 1991, at a fair market value of \$70,000. An appraisal completed in August 2017, estimated the Property to be worth \$118,500.

Completing sale of the Property in a timely manner is especially important to the Successor Agency and the Oversight Board.

Closing shall be on an all cash basis (i.e., if money is borrowed, based on established credit via credit line on another property or personal line of credit), not later than one hundred eighty (180) days following approval of the Proposer's offer by the Oversight Board.

Sale of the Property is to be done expeditiously and in a manner aimed at maximizing the value to the taxing entities.

No warranty, express or implied, other than clean title will be provided by Seller.

Proposals are required to meet the requirements of this RFP.

V. PROPERTY DATA

The Property is located at 190 West Sunny Dunes Road, Palm Springs, California, 92264.

The Property consists of Assessor Parcel Number 513-290-013 and is approximately 0.16 acres in size. The parcel is rectangular in shape. The assessor's parcel map indicates that the Property has approximately 139.5 feet of frontage along the north side of West Sunny Dunes Road, and a depth of approximately 50 feet. The Property is 109 feet west of South Palm Canyon Drive. Adjacent land uses are retail commercial to the north, retail commercial and restaurant to the south and east and vacant land to the west.

The Property is zoned CU ("Civic Uses District Zone"). The CU district is intended to accommodate governmental uses, facilities, services and incidental uses necessary to support governmental facilities. The Property is surrounded by properties that are zoned C2, Commercial. The underlying zoning is C2 which is suitable for regional commercial uses. Proposers shall familiarize themselves with all City of Palm Springs' zoning and entitlement issues relating to the Property, and make an independent determination of whether the Property can be developed for the purpose intended by the Proposer.

Zoning and Planning Ordinances can be found in the Palm Springs Municipal Code and which, along with the General Plan may be accessed using the following links:

<http://www.palmspringsca.gov/government/departments/planning/zoning-code-and-zoning-map>

<http://www.palmspringsca.gov/government/departments/planning/general-plan>

VI. MATERIALS REQUIRED TO BE SUBMITTED

The prospective Proposer shall:

- Submit one (1) original mailed or delivered Proposal together with the attached original Cashier's Check for the Deposit (described below) to:

Office of Procurement and Contracting
City of Palm Springs
3200 E. Tahquitz Canyon Way
P. O. Box 2743
Palm Springs, CA 92263-2743

AND the prospective Proposer shall also:

- Simultaneously submit an emailed copy of the Proposal with a copy of the Cashier's Check for the Initial Deposit as follows:
 - To David Ready, City Manager at david.ready@palmspringsca.gov with copy to cindy.cairns@palmspringsca.gov AND
 - To Jay Virata, Director of Community and Economic Development at jay.virata@palmspringsca.gov with copy to Diana Shay, Redevelopment Coordinator at diana.shay@palmspringsca.gov

In order to be considered responsive, the mailed and/or delivered copy and check and the emailed copies must all be received by **5:00 P.M. Local Time, THURSDAY, DECEMBER 14, 2017**, at which time they will be publicly opened and read aloud. **Offers shall be clearly marked as "Offer for Purchase of 6,970 square feet of vacant land at 190 West Sunny Dunes Road"**. It is the responsibility of the Proposer to see that any offer sent through the mail, or via any other method, shall have sufficient time to be received by this specified date and time. No Proposal will be considered unless it is properly executed, enclosed in a sealed envelope bearing the name of the Proposer, Proposal due date and Proposal title. The receiving time in the Procurement Office will be the governing time for acceptability of Proposals. Telegraphic, telephonic, faxed or emailed Proposals will not be accepted. Late Proposals will be returned unopened.

All Proposals should include the following sections in the order enumerated below:

1. PURCHASE PRICE AND FINANCIAL CAPACITY

The Proposal shall include the following information:

- a. An all cash purchase price offer and information supporting the offer.
Note: Per Dissolution Law, the Property must be sold at not less than the fair market value.
- b. Proof of the Proposer's financial capacity to purchase the property and readiness to proceed.
- c. Proposer Information
 - Name, address, phone and fax numbers for the lead Purchasing Entity (e.g., corporation, joint venture, limited partnership, etc.) and date of legal establishment.
 - Name, title address, phone and fax numbers, and email address of the person designated as the Primary Contact for the Purchasing Entity.
 - Other relevant information responsive to this RFP.

2. TERMS AND CONDITIONS

The Proposal shall include:

- a. Acceptance of the requirements and the terms and conditions of sale set forth in this RFP.
- b. Deposit: A deposit of ten thousand dollars (\$10,000.00) in the form of a Cashiers' Check made out to "Lawyers Title & Escrow" shall be attached to the written offer. Lawyers Title and Escrow shall be the escrow company for the sale and shall hold the \$10,000 deposit for the benefit of Seller. No other form of a deposit will be accepted. Only the Successful Proposer's check will be deposited with Lawyers Title and Escrow. All other Deposit Checks will be returned to the respective Proposer un-cashed.
- c. Within ten (10) days of approval by the Oversight Board, the Successful Proposer shall execute a Purchase and Sale Agreement for the Property reflecting the terms approved by the Oversight Board. The Purchase and Sale Agreement shall provide for a ninety (90) day Due Diligence Period. The Due Diligence Period shall commence upon full execution of the Purchase and Sale Agreement by the parties.
- d. The Deposit shall be refunded upon notification by the Successful Proposer within the ninety (90) days of the Due Diligence Period that it is cancelling the contract.
- e. Upon release of the Due Diligence Contingency, if the Successful Proposer

has not cancelled the contract by that date, the DEPOSIT shall be non-refundable. If the Purchase and Sale Agreement is not cancelled by the Successful Proposer, the Proposer will be responsible for purchasing the Property on an all cash basis with closing to occur not later than one hundred eighty (180) days following approval of the Proposer's offer by the Oversight Board.

NOTE: Proposals may include a proposal for the sharing of Broker's Fees between the Successor Agency and the Successful Proposer (Buyer). Any potential sharing will be solely between the Successful Proposer and the Successor Agency as approved by the Oversight Board. There is not, and will not be, any privity of contract between the Successor Agency and any broker.

VII. SELECTION CRITERIA

All statements and numbers submitted in response to this RFP will be reviewed and evaluated by the Successor Agency and approved by the Oversight Board. It is anticipated that the City Council will make its determination as to the Successful Proposer within forty-five (45) days after the proposals are received.

Proposals for this Site will be evaluated on completeness, the purchase price, and whether they meet the requirements set forth in this RFP.

VIII. RIGHTS RESERVED

The Successor Agency and Oversight Board retain the right to:

- Reject any and all proposals;
- Reject conditional or incomplete proposals or any proposal containing alterations of form or additions not called for, or irregularities of any kind;
- Determine which proposal, if any, is the best;
- Waive any irregularity in any proposal;
- Withdraw any and all of the described real property from the market;
- Approve the final Purchase and Sale Agreement; and,
- Negotiate terms and conditions of a proposal with one or more Proposer(s).

Issuance of this RFP does not commit the Successor Agency or Oversight Board to select a proposer, pay any costs incurred in the preparation of a response to the RFP, award any contract or rights, or take any further actions regarding sale of the Property.

IX. QUESTIONS/CORRESPONDENCE

Proposers are specifically directed **NOT** to contact any city employee, commission member, committee member, council member, or other agency employee or associate for any purpose related to this RFP other than as directed below. Contact with anyone other than as directed below may be cause for rejection of a Proposal.

Any questions, technical or otherwise, pertaining to this Request for Proposals **must be submitted IN WRITING and directed ONLY to:**

Diana Shay, Redevelopment Coordinator
Community and Economic Development Department
City of Palm Springs
3200 E Tahquitz Canyon Way, Palm Springs, CA 92262
Email: diana.shay@palmspringsca.gov

Interpretations or clarifications considered necessary in response to such questions will be resolved by the issuance of formal Addenda to the RFP. **The deadline for all questions is 3:00 P.M., Local Time, Tuesday December 5, 2017.** Questions received after this date and time may not be answered. Only questions that have been resolved by formal written Addenda via the Community and Economic Development Department will be binding. Oral and other interpretations or clarifications will be without legal or contractual effect.

Attachment A - Description of Property

A vacant lot with APN 513-290-013 located at 190 West Sunny Dunes Road and owned by the City of Palm Springs acting as Successor Agency to the former Community Redevelopment Agency of the City of Palm Springs. The site is on the north side of West Sunny Dunes Road and 109 feet west of South Palm Canyon Drive and approximately 1 mile south of the City's downtown business district. Palm Canyon Drive is the City's primary traffic, tourist and commercial corridor. The immediate vicinity around the subject property is a mixture of new and old buildings used primarily for retail and service businesses.

Legal Description

0.16 ACRES MORE OR LESS IN A PORTION OF LOT 16 BLOCK 25 AS RECORDED IN MAP BOOK 14 ON PAGE 652 OF SAN DIEGO COUNTY MAPS OF PALM SPRINGS CALIFORNIA.

Zoning

The zoning of the parcel with APN 513-290-013 is CU ("Civic Uses District Zone"). The CU district is intended to accommodate governmental uses, facilities, services and incidental uses necessary to support governmental facilities. Ord. 1808, 2012; Ord. 1653, 2004; Ord. 1294, 1988). The Property is surrounded by properties that are zoned C2, Commercial. The General Plan designation is "Mixed-use/Multi-use" with a maximum of 15 dwelling units per acre for residential uses and a maximum 0.50 FAR for nonresidential uses. Specific uses intended in these areas include community serving retail commercial, professional offices, service businesses, restaurants, daycare centers, public and quasi-public uses. For the purpose of this RFP, the Property should be considered to have a C2, Commercial zoning.

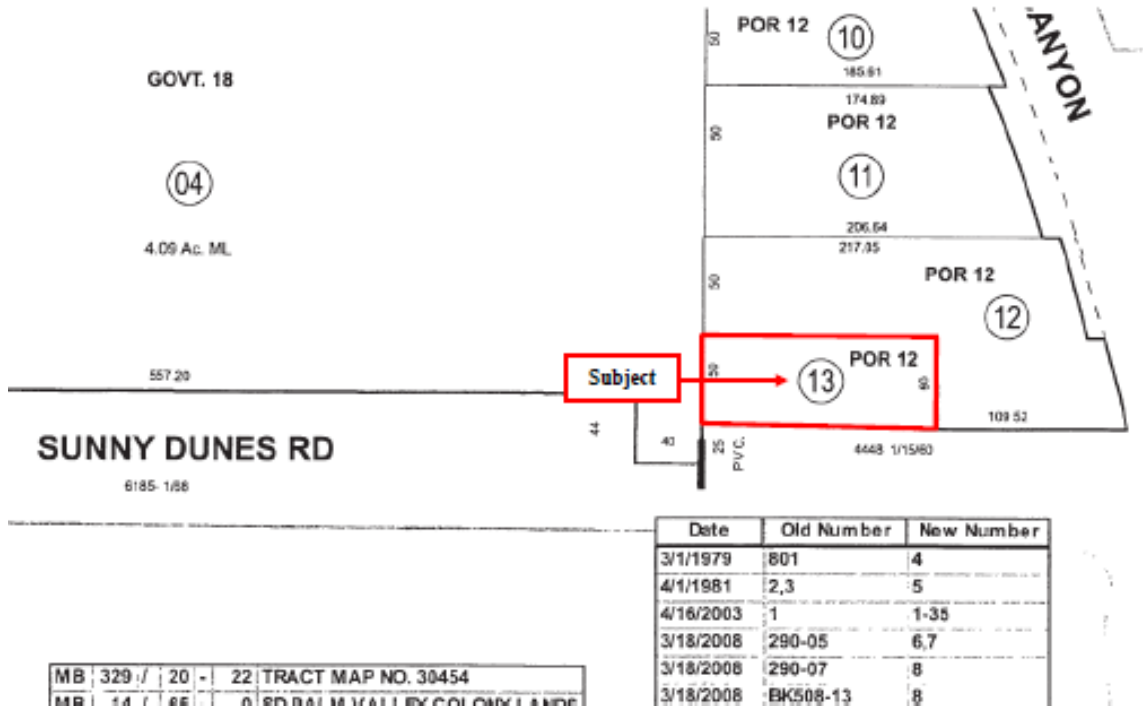
Overview of City and Subject Property Environs

Palm Springs, encompassing approximately 95 square miles, is located at the westerly end of the Coachella Valley at the base of the San Jacinto Mountains. The city is bordered to the north and south by unincorporated territory; to the east by Cathedral City and Rancho Mirage; and to the west by unincorporated territory and San Jacinto Wilderness area. Primary access is provided by Interstate 10 east-bound (bordering and traversing the northerly portion of Palm Springs) and Palm Canyon Drive (SR-111) from Interstate 10, and Highway 111 westbound. Several primary arterials provide secondary access. Palm Springs, incorporated in 1938, ranks as the fourth most populous city of Coachella Valley's nine incorporated cities and as of January 1, 2015 contained a population of 46,611.

The Property is located at 190 West Sunny Dunes Road in Palm Springs, California. Adjacent property uses are retail commercial to the north, retail commercial and restaurant to the south and east and vacant land to the west. The Property has frontage on West Sunny Dunes Road and has good access and street visibility from West Sunny Dunes Road and fair visibility from South Palm Canyon Drive.

ASSESSOR'S PARCEL MAP

Riverside County Assessor's Parcel Map



Assessor's Parcel Number APN 513-290-013

North direction is pointing left.

PHOTOS

North direction is pointing up.





Looking east across subject property



Looking south across subject property



Looking east along Sunny Dunes Road



Looking north driveway that runs across subject property