



**THE CITY OF WINNIPEG**

# **REQUEST FOR PROPOSAL**

**RFP NO. 197-2021**

**SALE OF CITY-OWNED PROPERTY LOCATED AT 1520 CORYDON AVENUE**

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## **PART B - BACKGROUND AND GENERAL INFORMATION**

### **B1. CONTRACT TITLE**

B1.1 SALE OF CITY-OWNED PROPERTY LOCATED AT 1520 CORYDON AVENUE

### **B2. SUBMISSION DEADLINE**

B2.1 The Submission Deadline is 12:00 noon Winnipeg time, March 31, 2022 and in accordance with the details provided in **PART D** - .

B2.2 The Contact Person or the Manager of Materials may extend the Submission Deadline by issuing an addendum at any time prior to the time and date specified in B2.1.

### **B3. INTRODUCTION**

B3.1 The City of Winnipeg (the "City") invites Proposals from Proponents (each a "Proponent"), with respect to the sale and redevelopment or rehabilitation of the former River Heights Library property located at 1520 Corydon Avenue (herein called the "Subject City Property").

B3.2 The City invites submissions from interested parties including Not for Profit and/or Community Organizations.

B3.3 Notwithstanding anything contained herein, the Subject City Property will be sold on an "as is, where is" basis. The data contained herein is considered to be approximate information only and is not intended to fully describe the Subject City Property. Any Proponent or interested party is required to satisfy themselves as to the suitability of the Subject City Property for their purposes and conduct their own due diligence. The City provides no representations or warranties related to the Subject City Property of any kind whatsoever.

### **B4. LOCATION**

B4.1 The Subject City Property is located at 1520 Corydon Avenue, and identified as "SUBJECT CITY PROPERTY, Area: 822.5± m<sup>2</sup> (8,853.4± ft<sup>2</sup>) attached as Appendix A: Misc. Plan No. 12261/3 Aerial.

### **B5. COUNCIL DIRECTIVE**

B5.1 On April 29, 2021 the Subject City Property located at 1520 Corydon Avenue was declared surplus to the City's needs.

### **B6. PROPERTY INFORMATION**

B6.1 The Subject City Property was acquired by the City of Winnipeg in 1961 from the Winnipeg School Division for the purpose of erecting a public library.

B6.2 Property details are as follows:

- (a) Site Size: +/- 8,853 square feet
- (b) Building Size: +/- 4,161 square feet
- (c) Current Zoning: PR2 – Parks and Recreation
- (d) Assessment: Roll: # 12097621700
- (e) Legal Description: SP LOT 60 PLAN 27068 WLTO IN RL 51 TO 53 PARISH OF SAINT BONIFACE
- (f) Certificate of Title: 1226151/1

- B6.3 The Proponent will accept the Property subject to all exceptions, reservations and encumbrances expressed or implied, including without limitation:
- (a) An easement in favour of MB Hydro for existing facilities (overhead lines).
  - (b) Caveat 180521/1 registered against Certificate of Title 1226151/1 in favour of the Winnipeg School Division No. 1.

**B7. BUILDING INFORMATION**

- B7.1 A building is located on the Subject City Property that is being offered for sale (herein called the "Building"). The Building consists of:
- (a) Main floor +/- 4,161 sq. ft.
  - (b) Basement +/- 4,161 sq. ft.
- B7.2 If the Proponent's proposal involves the demolition of the Building, then the cost of demolition and remediation, including any required removal of hazardous materials, will be at the Proponent's sole cost and expense.
- B7.3 Current Use
- (a) The property and buildings at 1520 Corydon Avenue were previously utilized as a public library.

**B8. PROPERTY SHOWINGS**

- B8.1 Proponents are encouraged to view the interior and exterior property photos attached as:
- (a) Appendix B(i) – Property Photos: Exterior Photos;
  - (b) Appendix B(ii) – Property Photos: Interior Photos (Main Level); and
  - (c) Appendix B(iii) – Property Photos: Interior Photos (Lower Level).
- B8.2 Proponents are advised that a property video tour may be added as an Appendix at a later date.
- B8.3 Property showings may be accommodated by appointment only, if necessary. COVID-19 protocols will be in place and details of such protocols will be provided by the Contact Person to the Proponent in advance of any appointment.

**B9. ENQUIRIES**

- B9.1 All enquiries shall be directed to the Contact Person identified in D5.
- B9.2 Any enquiries concerning submitting through MERX should be addressed to:
- MERX Customer Support
  - Phone: 1-800-964-6379
  - Email: merx@merx.com

**B10. ERRORS AND DISCREPANCIES**

- B10.1 If the Proponent finds errors, discrepancies or omissions in the Request for Proposal, or is unsure of the meaning or intent of any provision therein, the Proponent shall promptly notify the Contact Person of the error, discrepancy or omission at least five (5) Business Days prior to the submission deadline.
- B10.2 If the Proponent is unsure of the meaning or intent of any provision therein, the Proponent should request clarification as to the meaning or intent prior to the submission deadline.
- B10.3 Responses to enquiries which, in the sole judgment of the Contact Person, require a correction to or a clarification of the Request for Proposal will be provided by the Contact Person to all Proponents by issuing an addendum.

- B10.4 Responses to enquiries which, in the sole judgment of the Contact Person, do not require a correction to or a clarification of the Request for Proposal will be provided by the Contact Person only to the Proponent who made the enquiry.
- B10.5 The Proponent shall not be entitled to rely on any response or interpretation unless that response or interpretation is provided by the Contact Person in writing.

**B11. DISCLOSURE**

B11.1 Various Persons provided information or services with respect to this Work. In the City's opinion, this relationship or association does not create a conflict of interest because of this full disclosure. Where applicable, additional material available as a result of contact with these Persons is listed below.

B11.2 The Persons are:

- (a) The Winnipeg School Division No. 1 – Holder of Caveat 180521/1

**B12. DISCLOSURE OF KNOWN INFORMATION ABOUT THE PROPERTY OR THE BUILDING****B12.1 Environmental Assessments**

- (a) The City has not conducted any environmental investigations or environmental site assessments for the potential presence of contaminants, including without limitation soil contaminants, on the Subject City Property.

**B12.2 Asbestos Assessments**

- (a) The City hereby discloses that the City-owned property contains various forms of asbestos in the building. A copy of the Asbestos Inventory Control inspection completed by the City of Winnipeg in 2020 is attached as Appendix C: Asbestos Inventory Control LB-21 1520 Corydon.
- (b) The Building is offered on an "as-is, where is" basis, and it is the responsibility of the Proponent to conduct its own due diligence in this regard.

**B12.3 Title / Caveat Information**

- (a) The sale of the subject property shall be subject to any easement which may be required by a public utility, including but not limited to The Manitoba Hydro-Electric Board, BellMTS Inc., Centra Gas (Manitoba) Inc., Shaw Cablesystems Limited or the City of Winnipeg for existing and future facilities. The Proponent acknowledges the following easement requirement:
- (i) An easement in favour of Manitoba Hydro is required for their existing facilities, as shown on Misc. Plan 12261/3 as "Proposed Hydro Easement – Overhead Lines".
- (b) Caveat 180521/1 registered against Certificate of Title 1226151/1, states, in part:
- That the said land shall be used by the City for the purpose of erecting thereon a one storey brick building of the same material and type of construction as that in the Brock-Corydon School in the said City, and that such land will be held by the City and not be sold, leased or otherwise disposed of for any other purpose whatsoever without the consent in writing of the School Board of the said Division (*the Winnipeg School Division No. 1*).
- (c) The Winnipeg School Division No. 1 (as Caveat holder) must consent to the proposed sale of the Subject City Property.
- (d) Please refer to Section D.3.6.1(a): Phase III - Negotiations for additional information.

**B13. CONFLICT OF INTEREST AND GOOD FAITH**

B13.1 Proponents, by responding to this RFP, declare that no Conflict of Interest currently exists, or is reasonably expected to exist in the future.

- B13.2** Conflict of Interest means any situation or circumstance where a Proponent has:
- (a) other commitments;
  - (b) relationships;
  - (c) financial interests; or
  - (d) involvement in ongoing litigation;
- that could or would be seen to:
- (i) exercise an improper influence over the objective, unbiased and impartial exercise of the independent judgment of the City with respect to the evaluation of Proposals; or
  - (ii) compromise, impair or be incompatible with the effective performance of a Proponent's obligations under the Contract.
- (e) has obligations to the City that could or would be seen to have been compromised or impaired as a result of its participation in the RFP process; or
  - (f) has knowledge of confidential information (other than confidential information disclosed by the City in the normal course of the RFP process) of strategic and/or material relevance to the RFP process or to the Project that is not available to other proponents and that could or would be seen to give that Proponent an unfair competitive advantage.
- B13.3** In connection with its Proposal, each entity identified in B13.2 shall:
- (a) avoid any perceived, potential or actual Conflict of Interest in relation to the procurement process and the Project;
  - (b) upon discovering any perceived, potential or actual Conflict of Interest at any time during the RFP process, promptly disclose a detailed description of the Conflict of Interest to the City in a written statement to the Contact Person; and
  - (c) provide the City with the proposed means to avoid or mitigate, to the greatest extent practicable, any perceived, potential or actual Conflict of Interest and shall submit any additional information to the City that the City considers necessary to properly assess the perceived, potential or actual Conflict of Interest.
- B13.4** Without limiting B13.3, the City may, in its sole discretion, waive any and all perceived, potential or actual Conflicts of Interest. The City's waiver may be based upon such terms and conditions as the City, in its sole discretion, requires to satisfy itself that the Conflict of Interest has been appropriately avoided or mitigated, including requiring the Proponent to put into place such policies, procedures, measures and other safeguards as may be required by and be acceptable to the City, in its sole discretion, to avoid or mitigate the impact of such Conflict of Interest.
- B13.5** Without limiting B13.3, and in addition to all contractual or other rights or rights at law or in equity or legislation that may be available to the City, the City may, in its sole discretion:
- (a) disqualify a Proponent that fails to disclose a perceived, potential or actual Conflict of Interest of the Proponent;
  - (b) disqualify a Proponent that fails to comply with any requirements prescribed by the City pursuant to B13.4 to avoid or mitigate a Conflict of Interest; and
  - (c) disqualify a Proponent if the Proponent, has a perceived, potential or actual Conflict of Interest that, in the City's sole discretion, cannot be avoided or mitigated, or otherwise resolved.
- B13.6** The final determination of whether a perceived, potential or actual Conflict of Interest exists shall be made by the City, in its sole discretion.

## **PART C - DEVELOPMENT PARAMETERS**

### **C1. PLANNING & LAND USE**

- C1.1 On July 21, 2010, City Council adopted the OurWinnipeg Plan By-Law No. 67/2010 ("OurWinnipeg"). OurWinnipeg is the official development plan guiding growth and change as the 25-year vision for the entire City. According to OurWinnipeg, the Subject City Property is located in the Areas of Stability - Mature Communities Policy Area under the Complete Communities Direction Strategy.
- C1.2 Select policies guiding the development of Areas of Stability relevant to the Subject City Property include:
- (a) Encourage intensification to occur at centres and along corridors.
  - (b) Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complimentary to the existing scale, character and built form.
  - (c) Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.
  - (d) Support Complete Communities by ensuring diverse and high-quality housing stock.
  - (e) In order to meet the full life-cycle of housing needs within the community, promote a mix of housing type and tenure, such as duplexes, low rise apartments, secondary suites, semi-detached homes, townhouses.
- C1.3 In addition to the Subject City Property being located within a Mature Community, it fits the description of a Community Mixed Use Corridor as described in the Complete Communities Direction Strategy. Select guiding policies include:
- (a) Direction 1: Promote the enhancement of existing and the establishment of new community mixed use corridors.
    - (i) Promote the enhancement of existing Community Mixed Use Corridors through moderate intensification
    - (ii) Promote the establishment of Community Mixed Use Corridors in New Communities
    - (iii) Identify Community Mixed Use Corridors that require significant reinvestment and develop tools and incentives to promote reinvestment in them.
  - (b) Direction 2: Promote small scale, fine grained development that is responsive to the surrounding community context.
- C1.3.1 Details of OurWinnipeg Plan By-law can be found at:  
<https://www.winnipeg.ca/interhom/CityHall/OurWinnipeg/pdf/OurWinnipeg.pdf>
- C1.3.2 Details of the Complete Communities Direction Strategy can be found at:  
<https://winnipeg.ca/interhom/CityHall/OurWinnipeg/CompleteCommunities.stm>
- C1.4 For additional information regarding land use, please contact Dylan Harris, Planner at 204-986-7211.
- ### **C2. ZONING**
- C2.1 The Subject City Property is currently zoned PR2 – Parks and Recreation.
- C2.2 The Proponent will be required, at its sole cost, to apply for and receive Council approval in the event that its proposed development for the Subject City Property is not a defined use within the "PR2" zoning category.
- C2.3 The Proponent is advised that zoning variances may be required depending on the Proponent's intended use of the Subject City Property.

C2.4 Any interested party should contact the Zoning and Permits Branch at 204-986-5140 to ensure that their intended development and/or use falls within the current zoning category. Any re-zoning, conditional use or variance will be at the Proponent's sole cost and expense.

### **C3. SERVICES**

C3.1 The information supplied below is to be considered as a guideline. It is the responsibility of the Proponent to satisfy itself that sufficient services are available to utilize the Subject City Property for their intended use.

#### **C3.2 Watermain & Wastewater Sewer**

- (a) The Proponent is responsible, at its sole cost, to satisfy itself of the potential servicing requirements for its intended development and then be responsible to implement the servicing requirements to the satisfaction of the Director of the City's Water and Waste Department.
- (b) If new construction occurs and there is a need for water and sewer servicing, new sewer/water service connection pipes would need to be installed and would be subject to review and approval by the City's Water & Waste Department.
- (c) The Subject City Property is located within a Combined Sewer District and is subject to Environment Act License No. 3042.
- (d) For detailed information on specific servicing requirements contact: Mr. Marek Gajda, Water and Waste Department at 204-986-7626.

#### **C3.3 Electrical and Gas**

- (a) For additional detailed information on specific servicing requirements contact Manitoba Hydro.



## **PART D - INSTRUCTIONS TO PROPONENTS, GENERAL CONDITIONS AND EVALUATION OF PROPOSALS**

### **MATERIAL INFORMATION TO BE SUPPLIED BY PROPONENTS**

#### **D1. PROPOSAL SUBMISSION INFORMATION**

D1.1 The Proposal Submission should include:

- (a) Form A: Proposal;
- (b) The name of the organization and names of all Principals associated with the Proposal;
- (c) A list and description of successful projects carried out by the Proponent, if any;
- (d) Description of key staff/team member roles to be involved in the Proponent's project, their associated professional qualifications, and prior related experience;
- (e) Contact (s) concerning previous projects;
- (f) Financial information about the Proponent;
- (g) Any other information which the Proponent considers pertinent to its Proposal; and

D1.2 Details of the Proposed Purchase of the Subject City Property shall include:

- (a) The offering price (sale), financial terms, conditions (if any), a detailed plan outlining the proposed development and / or business operation, an outline of the timing, and any other relevant terms or assumptions.

#### **D2. GENERAL CONDITIONS OF RFP**

##### **Proposal Documents**

D2.1 Proposals should be clearly marked as follows:

Request for Proposal 197-2021  
Sale of City-owned Property Located at 1520 Corydon Avenue

D2.2 Proposals shall be submitted electronically through MERX at [www.merx.com](http://www.merx.com)

D2.2.1 Proposals will **only** be accepted electronically through MERX.

D2.3 Any cost or expense incurred by the Proponent that is associated with the preparation of the Proposal shall be borne solely by the Proponent.

D2.4 The City may at any time prior to the submission deadline, issue addenda correcting errors, discrepancies or omissions in the RFP, or clarifying the meaning or intent of any provisions therein.

(a) Addenda will be available on the MERX website at:

<http://www.merx.com>

(b) The Proponent is responsible for ensuring that it has received all addenda and is advised to check the MERX website for addenda regularly and shortly before the submission deadline, as may be amended by addendum.

##### **D2.5 Proposals on all or part of the Lands**

(a) The City will only consider Proposals which intend to purchase the Subject City Property referred to herein.

### **D3. EVALUATION OF PROPOSALS**

#### **D3.1 Right to Reject**

D3.1.1 The City reserves the right to reject all or any Proposal(s).

#### **D3.2 Caveat Emptor**

D3.2.1 The City makes no representations or warranty with respect to the quality, condition or sufficiency of the Subject City Property.

D3.2.2 The City has not conducted a legal survey of the Subject City Property to determine the nature and extent of any structure thereon or to determine if there are any encroachments from adjoining lands.

D3.2.3 The Subject City Property will be sold on an “as is, where is” basis, subject to the conditions as outlined within this RFP. It is the responsibility of the Proponent to conduct its own due diligence in this regard.

#### **D3.3 Evaluation**

D3.3.1 The City shall evaluate each Proposal on its own merit and price alone may not be the sole determining factor that the City considers in the evaluation of each and every Proposal.

D3.3.2 Purchase price, anticipated municipal tax revenue, overall development layout, building design and quality, and proposed use of the land and buildings will all be critical factors within the evaluation.

D3.3.3 Evaluation of Proposal shall be based on the following criteria:

- (a) Total offering price, financial terms, and potential tax revenue generated by the proposed development (50%);
- (b) Detailed plan outlining the proposed development, including timeframe to complete (15%);
- (c) Experience and/or history of successful projects and endeavors carried out by the Proponent (10%);
- (d) Proposed development being in alignment with OurWinnipeg Plan By-Law No. 67/2010 and Complete Communities Direction Strategy (15%);
- (e) Proposed development being in alignment with the Winnipeg Climate Action Plan (10%)

D3.3.4 Details of OurWinnipeg Plan By-law and Complete Communities Strategy can be found at:

<https://winnipeg.ca/interhom/CityHall/OurWinnipeg/default.stm>

D3.3.5 Details of Winnipeg Climate Action Plan can be found at:

<https://winnipeg.ca/sustainability/PublicEngagement/ClimateActionPlan/pdfs/WinnipegsClimateActionPlan.pdf>

#### **D3.4 Phase I – RFP Evaluation**

D3.4.1 The Proponents are advised to present their best offer, not a starting point for negotiations in their Proposal.

D3.4.2 The Evaluation Committee will review all Proposals on the basis of financial, operational and strategic merit to the City.

D3.4.3 If, after this Phase I review, the Evaluation Committee deems the Proposals to be unacceptable, the Proponents will be notified and no further discussions will be held.

D3.4.4 Upon completion of the Phase I review, the Evaluation Committee will short list those Proposals that are worthy of additional discussions and proceed to the Phase II of the evaluation process.

### **D3.5 Phase II – Detailed Proposal Solicitation and Evaluation**

- D3.5.1 The Evaluation Committee will notify all Proponents of their status within the short listing process, and will invite the short listed Proponents to submit additional or clarifying details, regarding their Proposal(s).

### **D3.6 Phase III – Negotiations**

- D3.6.1 The Evaluation Committee will enter into detailed negotiations with one or more short listed Proponents which it believes have the most merit.
- (a) The recommended Proposal(s) will be finalized for submission to and consideration by the Caveat Holder referred to in Section B.12. The City requires the consent in writing of the School Board of the said Division (*the Winnipeg School Division No. 1*) to dispose of the property.
  - (b) The recommended Proposal(s) will be finalized for submission to and consideration by the Standing Policy Committee on Property and Development and/or the Council of the City of Winnipeg.
- D3.6.2 The Proponent with the successful proposal will be required to enter into a purchase and sale agreement or other agreement(s) with the City outlining the terms and conditions of their Proposal and any other terms and conditions deemed necessary by the Council or the City Solicitor/Director of Legal Services to protect the interests of the City.

### **D3.7 No Contract**

- D3.7.1 The RFP is an inquiry only. By responding to this RFP and participating in the process as outlined in this document, Proponents expressly understand and agree that no contract of any sort is implied or formed under, or arises from this RFP and that no legal obligations between parties has, or will be, pre-determined.
- D3.7.2 The City will have no obligation to enter into negotiations or a contract with any Proponent as a result of this RFP.

### **D3.8 Confidentiality**

- D3.8.1 Information provided to a Proponent by the City or acquired by a Proponent by way of further enquiries or through investigation is confidential. Such information shall not be used or disclosed in any way without the prior written authorization of the Contact Person. The use and disclosure of the confidential information shall not apply to information which:
- (a) was known to the Proponent before receipt hereof; or
  - (b) becomes publicly known other than through the Proponent; or
  - (c) is disclosed pursuant to the requirements of a governmental authority or judicial order.
- D3.8.2 The Proponent shall not make any statement of fact or opinion regarding any aspect of the RFP to the media or any member of the public without the prior written authorization of the Director of the Planning, Property and Development Department.
- D3.8.3 Disclosure of a successful Proposal by a Proponent is the sole responsibility of the Council of the City of Winnipeg, or its Designated Authority. The City may be obligated to disclose the final purchase price after closing date of the sale of the Subject City Property.

## **D4. OPENING OF PROPOSALS AND RELEASE OF INFORMATION**

- D4.1 Proposals will not be opened publicly.
- D4.2 After award of Contract, the name of the successful Proponent and their address(es) will be available on the MERX website at [www.merx.com](http://www.merx.com)
- D4.3 The Proponent is advised any information contained in any Proposal Submission may be released if required by The Freedom of Information and Protection of Privacy Act (Manitoba), by

other authorities having jurisdiction, or by law or by City policy or procedures (which may include access by members of City Council).

- D4.4 To the extent permitted, the City shall treat as confidential information, those aspects of a Proposal Submission identified by the Proponent as such in accordance with and by reference to Part 2, Section 17 or Section 18 or Section 26 of The Freedom of Information and Protection of Privacy Act (Manitoba), as amended.
- D4.5 Following the award of the Contract, a Proponent will be provided with information related to the evaluation of his/her submission upon written request to the Contact Person.

**D5. CONTACT PERSON**

Kim Fox  
Senior Negotiator

Phone (204) 986-3945  
Email: [kimfox@winnipeg.ca](mailto:kimfox@winnipeg.ca)

## **PART E - APPENDICES**

### **GENERAL**

#### **E1. LIST OF APPENDICES**

E1.1 The following Appendices are provided for the convenience of the Proponent only:

- |                     |  |
|---------------------|--|
| (a) Appendix A      | Misc. Plan No. 12261/3 Aerial                  |
| (b) Appendix B(i)   | Property Photos: Exterior Photos               |
| (c) Appendix B(ii)  | Property Photos: Interior Photos (Main Level)  |
| (d) Appendix B(iii) | Property Photos: Interior Photos (Lower Level) |
| (e) Appendix C      | Asbestos Inventory Control LB-21 1520 Corydon  |