



THE CITY OF WINNIPEG

REQUEST FOR PROPOSAL

RFP NO. 429-2024

**SALE OF CITY-OWNED PROPERTY LOCATED AT 1887 PACIFIC AVE. WEST
(ELDON ROSS POOL)**

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PART B - BACKGROUND AND GENERAL INFORMATION

B1. CONTRACT TITLE

B1.1 SALE OF CITY-OWNED PROPERTY LOCATED AT 1887 PACIFIC AVE. WEST (ELDON ROSS POOL)

B2. SUBMISSION DEADLINE

B2.1 The Submission Deadline is 12:00 noon Winnipeg time, January 31, 2025 and in accordance with the details provided in **PART D** - herein.

B2.2 The Contact Person or the Manager of Purchasing 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 1887 Pacific Avenue West (herein called the "Subject City Property").

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

B4. LOCATION

B4.1 The Subject City Property, 1887 Pacific Avenue West, is located on the westerly side of CNR train tracks approximately 84 metres south of the intersection of Pacific Avenue West and Elkhorn Street, and is bounded as follows:

Northerly – 1880 Alexander Avenue.

Southerly – Pacific Avenue West, access.

Easterly – CNR train tracks.

Westerly – 1929 Pacific Avenue West.

Misc. Plan No. 15969/7, attached as "Appendix A" identifies the Subject Property which, is shown bordered and identified as "PROPOSED LOT 1 - SUBJECT CITY PROPERTY TO BE SOLD– Area 2,253+/-m² (24,250+/-ft²)".

B5. COUNCIL DIRECTIVE

B5.1 On July 4, 2024, the Standing Policy Committee on Property and Development approved the Evaluation Criteria for the Sale of Eldon Ross indoor swimming pool.

B6. PROPERTY INFORMATION

B6.1 The Subject City Property is part of a larger land holding owned by the City, which includes Park land to the North and West. The building originally functioned as the Eldon Ross Indoor Swimming Pool.

B6.2 Property details are as follows:

(a) Site Size: Site Size (see Appendix A1):

i) PROPOSED LOT 1 - SUBJECT CITY PROPERTY TO BE SOLD Area: 2,253± m² (24,250± ft²) ;

ii) PROPOSED LOT @ - TO BE RETAINED BY CITY Area: 1,037+/-m² (11,160+/- ft²)

(b) Building Size: Approximately 1,033.64±m² (11,126± ft²);

- (c) Current Zoning”- PR2: Parks and Recreation – Active Neighbourhood/Community (see Appendix C);
- (d) Assessment: Roll: Roll # 07090831000;
- (e) Legal Description: See Appendix B;
- (f) Certificate of Title(s): 1174827/1 and 1174726/1. Purchaser is responsible for due diligence on any caveats, and their effect, registered against the Certificate of Titles.

B6.3 The Proponent will accept the Property subject to all exceptions, reservations and encumbrances expressed or implied, including without limitation:

B7. BUILDING INFORMATION

B7.1 A single-story building is located on the Subject City Property that is being offered for sale (herein called the “Building”). The Building consists of 1,033.64±m² (11,126± ft²);of interior gross floor area as follow:

- (a) Main floor 1,033.64±m² (11,126± ft²);

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 building at 1887 Pacific Avenue West are currently vacant. However, it was occupied up until August 30, 2024 and used as a public indoor swimming pool.

B8. PROPERTY SHOWINGS

B8.1 Two (2) Open-Houses will be held to view the property on the following dates:

- (a) Tuesday, October 1, 2024 from 1:30 p.m. until 3:30 p.m.; and
- (b) Wednesday, October 30, 2025 from 1:30 p.m. until 3:30 p.m.

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) N/A

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 Building located on the Subject City Property could contain various forms of asbestos throughout.
- (b) The Building is offered on an "as-is, where is" basis, and it is the responsibility of the Proponent to conduct their own due diligence in this regard.

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 their 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 their 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 their 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 their 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 their 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 their 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 their sole discretion.

PART C - DEVELOPMENT PARAMETERS

C1. PLANNING & LAND USE

- C1.1 On May 26, 2022, City Council adopted the *OurWinnipeg* Plan By-Law No. 120/2020 (“*OurWinnipeg*”). *OurWinnipeg* is the city’s long-range development plan, which sets a vision for the next 25 years. The *Complete Communities Direction Strategy 2.0 (CCDS 2.0)* is a citywide secondary plan that guides growth, development, and land use in the city. Proponents are encouraged to include reference to *OurWinnipeg* and *CCDS 2.0* in their Proposals.

The subject property is located in a “Established Neighbourhoods – Mature Community” policy area of *OurWinnipeg* and in ‘*Complete Communities*’ Urban Structure map. Urban Mixed Use Corridors are the most pedestrian-oriented of the City’s Corridors.

- Our Mature Communities will play a key role in advancing our goal of building more complete communities. Complete communities are neighbourhoods that have everything people of all ages and abilities need to live, work, shop, learn, and play in close proximity to one another. The success of our neighbourhoods depends to a great extent on their ability to adapt over time to meet residents’ current and future needs.
- Mature Communities offer some of the best opportunities to accommodate infill development and increase the densification of our city. Residential infill development typically refers to new residential development in older neighbourhoods, whether single-, two-, or multi-family redevelopment.

- C1.2 Details of the *OurWinnipeg* Plan By-Law 120/2020, and the *Complete Communities Direction Strategy 2.0* By -Law119/2020 respectively can be found at:

- (a) <https://clkapps.winnipeg.ca/DMIS/DocExt/ViewDoc.asp?DocumentTypeld=1&DocId=8222>
(b) <https://clkapps.winnipeg.ca/DMIS/DocExt/ViewDoc.asp?DocumentTypeld=1&DocId=8221>

- C1.3 For additional information regarding land use, please contact **Simi Jerez**, Planner at 204-986-7175.

C2. ZONING

- C2.1 The Subject City Property is currently zoned “PRS: Parks and Recreation – Active Neighbourhood/Community” (see Appendix C).
- C2.2 The Proponent will be required, at their sole cost, to apply for and receive Council approval in the event that their proposed development for the Subject City Property is not a defined use within the zoning category(s) identified in PR2. A Plan of Subdivision and Development Application will be required to create the Subject Property. Additional details are provided in C4.
- 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 The Proponent 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 their sole cost, to satisfy itself of the potential servicing requirements for their 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) For detailed information on specific servicing requirements contact:
 - Watermains – Matthew Nikkel, Water and Waste Dept. at 204-451-2663; and
 - Wastewater Sewer – Greg Kulczycki, Water and Waste Dept. at 204-805-2470

C3.3 Electrical and Gas

- (a) Supplied to the existing building on the Subject Property; and
- (b) For additional detailed information on specific servicing requirements contact Manitoba Hydro.

C4. SUBDIVISION, REZONING AND RIGHT-OF-WAY OPENING

- C4.1 The proponent must do all things as are necessary, at their sole cost and expense, including, but not limited to, submitting or cause to have submitted a Development Application and cause to have prepared a Plan of Subdivision to facilitate the creation of:
- (a) The Subject Property shown as Lot 1 (to be sold);
 - (b) Lot 2 to be retained by the City;
- as set out and identified on Misc. Plan No. 15969/7. Misc. Plans are attached as "Appendix A" and "Appendix A1" respectively.

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; and
- (g) Any other information which the Proponent considers pertinent to their Proposal; and

D1.2 Details of the Proposed Purchase of the 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 429-2024.
Sale of City-owned Property Located at 1887 Pacific Ave West.

D2.2 Proposals shall be submitted electronically through MERX at 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 or leased 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 their own due diligence in this regard.

D3.3 Evaluation

D3.3.1 The City shall evaluate each Proposal on their 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 Rehabilitation and utilization of the existing building may be considered as an asset due to the historical significance of the building in the community.

D3.3.4 Evaluation of Proposal shall be based on the following criteria:

- (a) Public access to the indoor pool and wading pool at reduced or no cost, as evidenced by an operating plan (40%);
- (b) Total offering price, financial terms, and potential tax revenue generated by the proposed development (30%) broken down as follows:
 - (i) Total Offering Price (15%);
 - (ii) Financial Terms (12%); and
 - (iii) Potential Tax Revenue (3%).
- (c) Evidence of available funding to complete the proposal (10%);
- (d) Experience and/or history of successful projects and endeavors carried out by the Proponent (10%);
- (e) Proposed development being in alignment with the Winnipeg Climate Action Plan (10%).

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. The City will only negotiate with the Proponents submitting, in the City’s opinion, the most advantageous and thorough Proposal.

D3.4.2 The Planning, Property and Development Department (herein called the Department) 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 Department 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 Department 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 Department 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) if any.

D3.6 Phase III – Negotiations

- D3.6.1 The Department will enter into detailed negotiations with the Proponents which it believes has the most merit. The Proponent 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 City Solicitor/Director of Legal Services to protect the interests of the City.
- D3.6.2 All matters of negotiations must be finalized and the purchase and sale agreement signed by the Proponent(s) before the recommended proposal is presented to the Standing Policy Committee on Property and Development and/or the Council of the City of Winnipeg for consideration and final approval.
- D3.6.3 No Contract**
- D3.6.4 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.
- D3.6.5 The City will have no obligation to enter into negotiations or a contract with any Proponent as a result of this RFP.

D3.7 Confidentiality

- D3.7.1 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.
- D3.7.2 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.
- D3.7.3 Disclosure of a successful Proposal by a Proponent is the sole responsibility of the Council of the City of Winnipeg, or their 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
- 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 their submission upon written request to the Contact Person.

D5. CONTACT PERSON

Nikola Vujadin, Senior Negotiator
City of Winnipeg
Planning, Property and Development Department
2nd Floor – 65 Garry Street
Winnipeg, MB R3C 4K4

Phone (204) 986-6406
Email: nvujadin@winnipeg.ca

PART E - APPENDICES

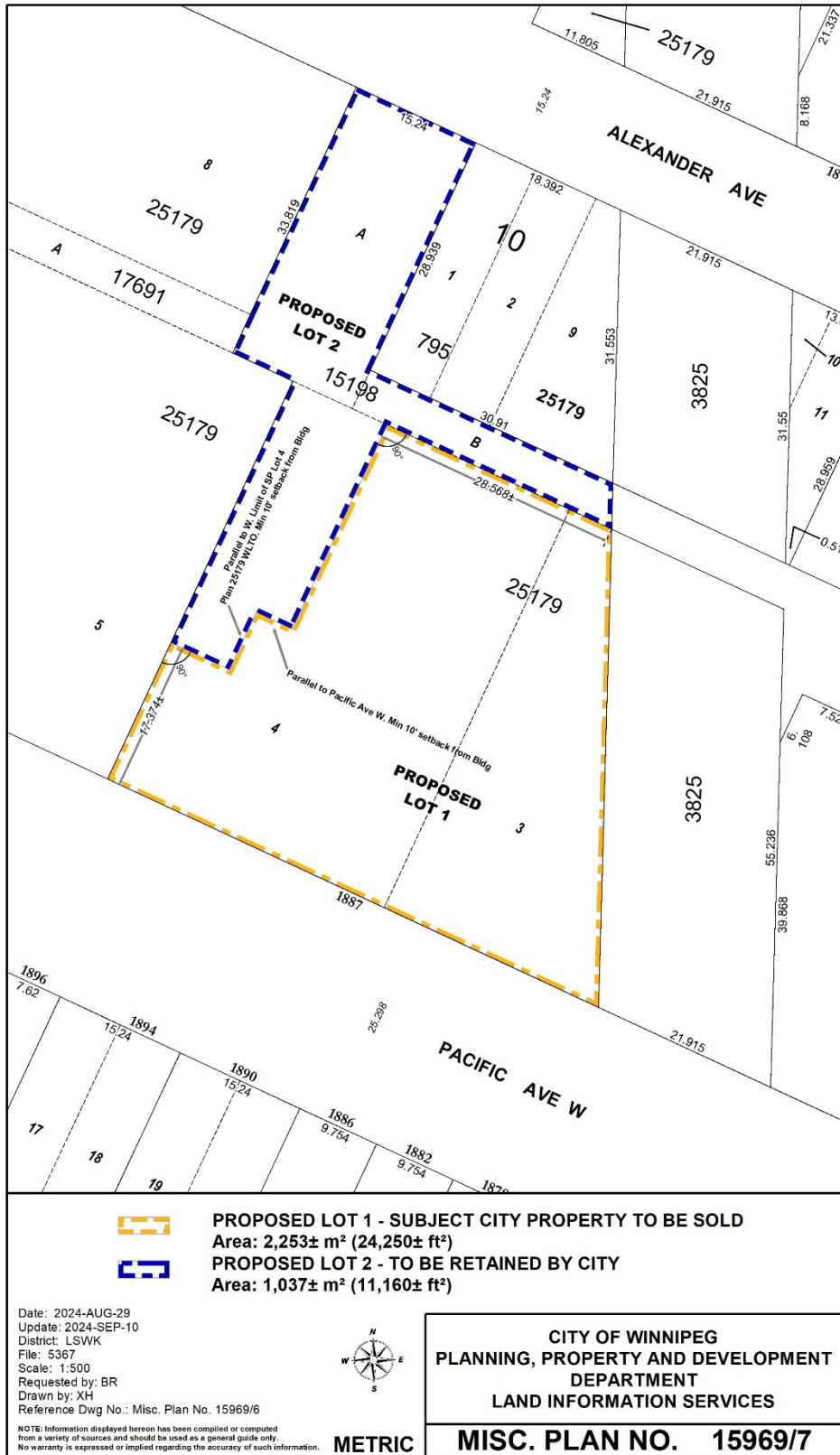
GENERAL

E1. APPENDICES

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

- | | |
|----------------|--|
| (a) Appendix A | Misc. Plan No. 15969/7 – Subject City Property |
| (b) Appendix B | Legal Description |
| (c) Appendix C | Map – Zoning |
| (d) Appendix D | Site and Building Floor Plans |
| (e) Appendix E | Phases of RFP |

APPENDIX A: MISC. PLAN NO. 15969/7 "SUBJECT CITY PROPERTY"



APPENDIX

APPENDIX B: LEGAL DESCRIPTION

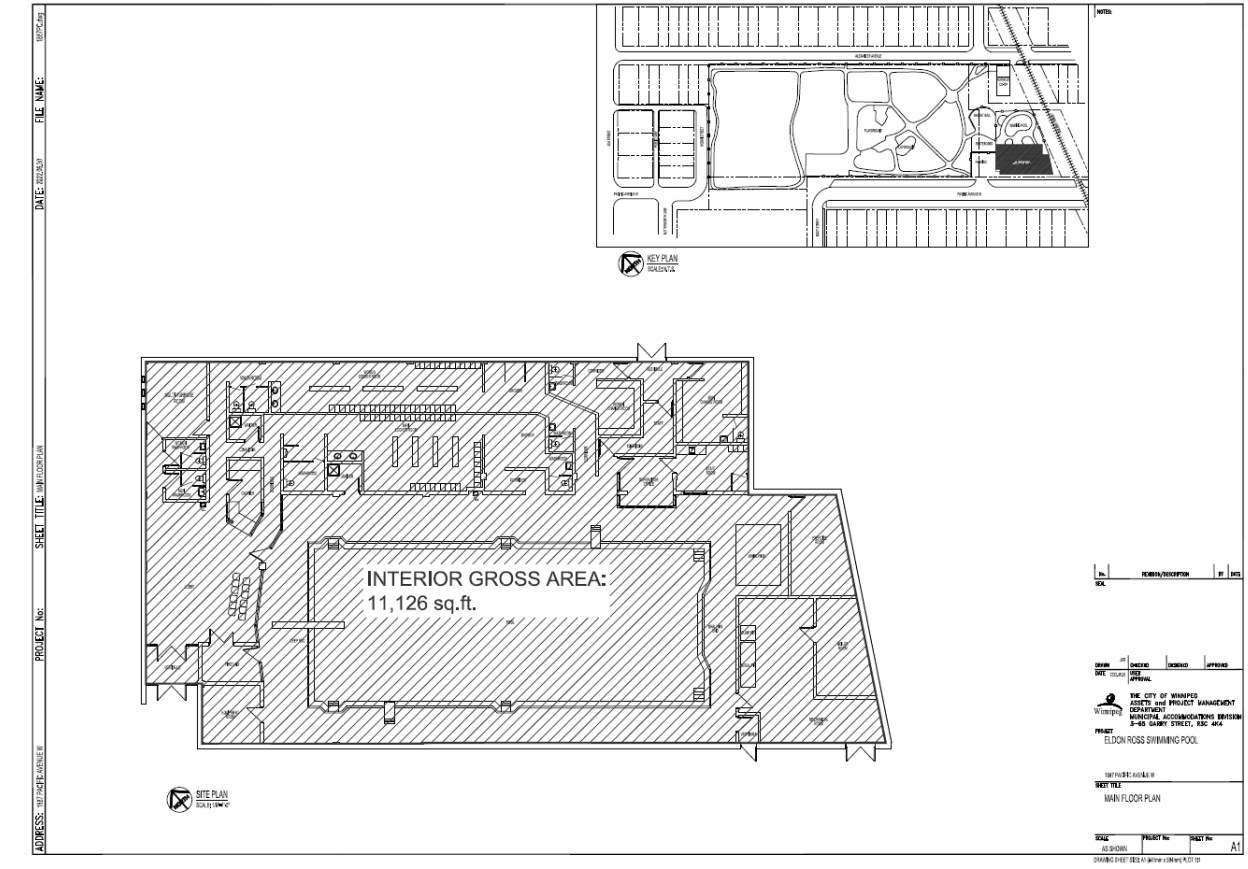
1887 Pacific Avenue West Misc. Plan 15969/7 :

All that portion of SP LOTS 3 AND 4 PLAN 25179 WLTO IN OTM LOTS 10B AND 11B PARISH OF ST JOHN SAID LOT 3 IS SUBJECT TO THE RESERVATIONS, PROVISIOES AND CONDITIONS RESPECTING MINES, MINERALS, MINERAL OILS AND OTHER MATTERS AS SAME ARE SET FORTH IN TRANSFER 740530 WLTO, as shown bordered and identified as “PROPOSED LOT 1 - SUBJECT CITY PROPERTY TO BE SOLD Area: 2,253± m² (24,250± ft²)” on a drawing on file in the City’s Planning, Property and Development Department as Misc. Plan No. 15969/7

APPENDIX C: ZONING



APPENDIX D: BUILDING FLOOR PLAN



APPENDIX E RFP PHASES

The following schedule identifies the anticipated scheduling of activities concerning RFP 429 - 2024:

- a) January 2025 to February 2025 - Phase I
- b) March 2025 to April 2025- Phase II
- c) May 2025 to June 2025 - Phase III
- d) Subsequently, the Public Service reports on recommendation of successful Proponent to Standing Policy Committee on Property and Development, Heritage and Downtown Development and/or Council for approval.

The City reserves the right to amend the foregoing schedule at any time and without notice.