



Request for Proposals Quarry Park Outdoor Public Market

Issued: October 30, 2020

The City of Rocklin is seeking proposals from qualified persons or entities (those having similar or related prior experience) interested in leasing City property in the downtown Quarry District to operate an outdoor public market.

The City anticipates an initial short-term lease (3-5 years) with an option to renew for the property (0.79 acres) located at the intersection of Pacific Street and Adventure Way, which has a fee simple sales value estimated at \$345,000. The City desires to enter into a lease agreement with the selected applicant by February 23, 2021.

Background:

The property is located in Rocklin's Quarry District, immediately adjacent to Quarry Park Adventures and in close proximity to the Quarry Park Amphitheater. Use of the property as an outdoor market offers the opportunity to create synergy between the three attractions. It is anticipated the outdoor market would include: the sale of food and beverages, retail sales of specialty items through food trucks or modified cargo containers, a covered seating area(s), and quality portable restrooms. The market may also include a stage for musical performances and limited sound amplification.

The City's vision for the property is inspired by other similar projects occurring throughout the nation, including California, that vary from truly temporary pop up installations, to farmers markets (i.e., the Eddy in Reno, the Beer 40 Beer Garden in Vacaville, or the Rossi's Marketplace in North Versailles, Pennsylvania among others).

The City does not anticipate using public funds for the outdoor market. As such, applicants should anticipate paying for any alterations or improvements which may include the extension of utilities (electric, water, sewer, gas are within close proximity), permitting costs, impact fees, and operating costs (as applicable).

After entering into a lease agreement with the City, the successful applicant would then need to apply for and obtain Planning Commission approval for a Conditional Use Permit and Design Review consistent with the zoning of the site. As the site is located within the Quarry Architectural District (see link <https://rocklin-architectural.herokuapp.com/quarry-district>), the City's Architectural Review Committee would have to make a recommendation on the project design prior to action by the Planning Commission.

Premises Map:



It is the applicant's sole responsibility to become familiar with the premises' physical conditions and limitations, perform its own independent investigation, and become acquainted with the details requisite to its proposed use of the premises.

Submittal Requirements:

Proposals should be submitted in letter format on company letter head executed by a person authorized to make such commitments **delivered to the City by Tuesday, December 1, 2020 at 5:00pm** and addressed to the following:

Quarry Park Outdoor Market Proposal

City of Rocklin

3970 Rocklin Road

Rocklin, CA 95677

Attn: Marc Mondell, Assistant City Manager

Copy via email: marc.mondell@rocklin.ca.us

The submittal letter should include the following:

- **Background/Qualifications.** Information on the applicant (type of entity, IRS designation), and related experience. Include information on similar projects completed.
- **Use of Premises.** A comprehensive description of the proposed use of the premises as an outdoor market or similar concept. This should include a timeframe for use of the premises as an outdoor market.
- **Business Plan.** A business plan for the proposed use of the premises including a projection of income and expenses and supporting the underlying assumptions. This should include a pro forma budget for duration of lease (maximum 5 years), rent to be paid for the premises, costs related to any improvements to the premises, and a plan for funding.
- **Management and Operation Plan for the Premises.** A comprehensive description of the operation plan for the premises, including the expected number of employees on the Premises, hours of operation, products offered and proposed security arrangements.
- **Improvements.** If improvements are proposed, a detailed description of the scope of work of all improvements. The improvement plan should be accompanied by sufficient detail to understand the scope and nature of the proposed improvements. These plans may be informal sketches.
- **Signage.** Preliminary signage design (including possibility of reworking main entry sign).

The proposal must include a certification that the applicant has reviewed the RFP, understands and agrees to its terms and conditions.

Any questions prior to proposal submittal can be sent via email to Marc Mondell, Assistant City Manager at the address above.

Selection Process:

A review panel composed of City representatives will evaluate each proposal using the criteria set forth below. The review panel may recommend an applicant without further process, or may select applicants receiving the highest scores for an oral presentation and interview. The review panel will confer with the City Manager, and thereafter make a recommendation to the City Council for award of the lease agreement. The City reserves the right to request clarification or additional information from one or all of the applicants during the selection process. The final recommendation will be presented to City Council for review, approval, and award of the lease.

Any contract awarded will be based on the proposal deemed to be most advantageous to the City. The proposal will be awarded to the applicant who best fulfills the following criteria: (1) proposed use, business plan, and management and operation plan are sound, consistent with the City's vision, and complimentary to existing uses in the Quarry District; (2) the applicant has experience in related business endeavors; (3) the applicant demonstrates the requisite financial capacity; and (4) the applicant submits a competitive proposed rent.

Grounds for Rejection. Any false, incomplete, or unresponsive statements in connection with a proposal may be cause for City, at its sole discretion, to reject a proposal. Any judgment as to the significance of any falsity, incompleteness, or unresponsiveness associated with a proposal shall be City's prerogative and its judgment shall be final. The City reserves the right to waive minor defects or irregularities in any proposal.

The successful firm will be required to submit a letter indicating its commitment to obtain all required permits, pay required fees, property tax, sales tax, and submit a financing commitment or otherwise prove funding availability prior to commencing the project.

Final Lease Agreement:

After selection, the winning applicant shall cooperate with the City in good faith to execute and deliver a lease agreement promptly. If at any time, and for any reason, negotiations with the selected applicant do not proceed to the City's reasonable satisfaction, City may terminate such negotiations without liability and reject the applicant's proposal. City shall then have the right to negotiate with and enter into a lease with any other qualified applicant that participated in the proposal process.

The lease agreement will be awarded subject to approval by the Rocklin City Council.

Terms and Conditions:

Invitation to submit proposals, no City obligation to contract. This RFP is only an invitation to submit proposals and does not commit the City in any way to enter into a lease. In addition, the issuance of this RFP does not obligate the City to pay any costs whatsoever incurred by any applicant in connection with the RFP.

City's Reservation of Rights. The City expressly reserves the right at any time and from time to time, and for its own convenience, at its sole discretion, to do any or all of the following:

1. Waive or correct any immaterial defect or technical error in any response, proposal, or proposal procedure, as part of the RFP or any subsequent negotiation process.
2. Reject all proposals, without indicating any reason for such rejection.
3. Reissue a RFP.
4. Procure any service by any other means.
5. Modify the selection procedure.
6. Extend any deadlines for accepting responses, or request amendments to responses after expiration of deadlines, by mailing such change to each applicant.
7. At the City's sole discretion, disqualify any applicant based on any real or apparent conflict of interest.

Proposal as a Public Record. Generally, all documentation including financial information submitted by applicants to the City are public records under state law. Applicant must clearly designate financial records that it in good faith determines to be a trade secret or confidential proprietary information protected from disclosure under applicable law. To the extent permitted by law, City will attempt to maintain the confidentiality of such financial information, consistent with City's general practices for maintaining confidentiality of such information. The City will not be responsible for any damages or losses incurred by an applicant or any other person or entity because of the release of such financial information.

Miscellaneous:

1. All applicants shall comply with the conditions and requirements specified in this RFP, with any departure constituting sufficient cause for rejection of the proposal, subject to the City's discretion.
2. No proposal will be accepted from any person, firm, partnership, corporation or other entity that is in arrears on any obligation to the City or that may otherwise be deemed irresponsible, unreliable, or unqualified by the City.
3. All proposals must be firm for a minimum of 90 days following the opening of the proposal.
4. No applicant shall obtain by its response to this RFP, any claim against the City or against City property by reason of any or all of the following: any aspect of the RFP, the selection process or any part thereof, any informalities or defects in the selection process, the rejection of any offer or all such offers, the acceptance of any offer, entering into any lease, the failure to enter into such lease, any statement, representations, acts or omissions of the City, the exercise of discretion set forth in or concerning any of the foregoing; and any other matters arising out of all or any of the foregoing.

Except as provided in this RFP, communication with the City, including without limitation its Selection Committee or any City Council member prior to approval, with regard to the substance of this RFP is discouraged.

END OF REQUEST FOR PROPOSAL