

# City of Portland, Maine Request for Proposals

## For the sale and reuse of the former Adams School Site

Buildings and property are located in the block bounded by  
Munjoy, Moody, Vesper and Wilson Streets.



### I. NOTICE AND SPECIFICATIONS

The City of Portland, Maine seeks proposals from qualified developers for the purchase, rehabilitation and reuse of the former Adams School site located in the block bounded by Munjoy, Moody, Vesper and Wilson Streets (hereafter, “the school”). The site is designated on the City of Portland Tax Assessor’s Map as Map 3, Block H, Lots 1 to 4; Block P, Lot 1; and Block M, Lots 1, 2, 5, 6 and 7.

**Sealed proposals for the project, including an original and seven (7) copies, will be received by the Purchasing Office, Room 103, City Hall, 389 Congress Street, Portland, Maine 04101, until 3:00 p.m., Tuesday, July 22, 2008, at which time they will be publicly opened.** Proposals shall be submitted with the attached form, and returned in sealed envelopes plainly marked on the outside “Sale and Re-Use of the Former Adams School Property.” Proposals that are late and/or submitted via facsimile shall not be accepted. All proposals shall be held open to acceptance for sixty days from opening.

Potential proposers and their contractors, architects, engineers, etc. are free to view the property on the following dates. Access will be from the Moody Street entrance of the school.

- **Wednesday, June 18, 2008 from 2:00 to 3:00 pm**
- **Wednesday, June 25, 2008 from 2:00 to 3:00 pm**
- **Wednesday, July 9, 2008 from 2:00 to 3:00 pm**

All parties entering the above named premises are required to execute and present the attached RELEASE AND HOLD HARMLESS form prior to admittance. No questions will be answered during this tour.

Questions must be submitted in writing to the Purchasing Office. These may be mailed; hand delivered, faxed to (207) 874-8652 or e-mailed to [mff@portlandmaine.gov](mailto:mff@portlandmaine.gov) and received not later than five (5) business days prior to the opening date. Questions received after this time will not be addressed. Any interpretation, correction, or change of this Request for Proposals will be made only by written addenda. Changes in any other manner will not be binding on the City. Proposers should not contact City Staff with regard to this Request unless to obtain general public information as specified in the document.

The disposal of this real estate shall be on the basis of a negotiated proposal, with the City of Portland reserving the right to refuse any or all proposals. *All proposers are advised that the property will be sold "as-is" and "where-is", in its existing condition, with no warranties either expressed or implied.* The City disclaims any and all responsibility for injury to proposers, their agents or others while examining the property or at any other time.

All proposals shall signify, by signing the attached proposal form, that the proposer has read and understands all conditions concerning the development of the land being offered, as outlined in this Request for Proposals, and that the proposal is made in accordance with this Request.

## **II. BACKGROUND**

The Adams School site at 44 Moody Street is 1.5 +/- acres bounded by Munjoy, Moody, Vesper and Wilson Streets. Beckett Street once ran through the site. The site is on Munjoy Hill, on the southeast end of the Portland peninsula, in a neighborhood which is largely defined by 19<sup>th</sup> and early 20<sup>th</sup> century buildings. A public playground is on the site. The site is zoned R-6.

The Adams School opened in 1958 and served for many decades as a neighborhood school, community center, and gathering place for the Munjoy Hill community. The school was closed in 2006 when the East End School was opened.

The City established the Adams School Reuse Committee to gather information about the site and input from the community, and to make recommendations to the City Council regarding the reuse of the site. A final report of the Adams School Reuse Committee is attached to this RFP.

## A. Reuse of the Adams School Site Final Draft Report July 27, 2007

The *Reuse of the Adams School Site Final Draft Report* should be referred to as a summary of site information, and for guidance on the community process and preferences. It is the proposer's responsibility to review the Final Adams School Reuse Committee Report either on the web or in print in the City's Purchasing Office in Room 103 City Hall. The document can be viewed online at: <http://www.portlandmaine.gov/adamschoolfinalreport.pdf> The Adams School Reuse Committee identified the following for the redevelopment of the site:

### 1. Policy Issues

- a. **Life Cycle Living** The goal is to create the possibility of life-cycle living on Munjoy Hill. A variety of unit sizes, a mix of incomes, and accessible design should be incorporated in order to allow housing opportunities for all.
- b. **Connect the Neighborhood** The development should not be an island unto itself, but rather blend into and enhance the surrounding Munjoy Hill community. The design of the site should knit the neighborhood together both physically and functionally.

### 2. Design Considerations

- a. **High Quality Design** Excellence in architectural and landscape design is expected.
- b. **Traditional Design** Design shall be reflective of the surrounding traditional neighborhood. New Urbanist principles shall be used to create infill development that reflects and respects the existing pattern, streetscape, density, scale, massing, exterior materials and design elements of the neighborhood. Buildings should orient to the street.
- c. **Green Design** The site and buildings shall be designed to be certifiable on the principles of *Leadership in Energy and Environmental Design for Neighborhood Design (LEED ND)*. The actual application for the certificate is the developer's choice.
- d. **Streetscape** The development shall enhance the pedestrian experience and the public realm. Alternative transportation modes shall be accommodated and incorporated in the project.
- e. **Height** Heights shall be less than or equal to the average of structures in a 2 block radius.
- f. **Permeability** Design shall be permeable or porous. View corridors are encouraged. If the existing building is removed, Beckett Street shall be re-connected to its full width as a public, non-motorized right of way (a paved street is not desired). If the existing building remains, a public walkway shall be provided along the north-south axis of the site. Year round accessibility is required.
- g. **Heterogeneity** Design of the buildings on the site shall be heterogeneous, not homogenous.
- h. **Existing Building** Reuse or removal of the existing building is the developer's choice.

- i. **Accessibility** Universal Design principles shall be incorporated wherever feasible, to ensure that the design is physically accessible to the greatest range of users.

### 3. **Housing Uses**

- a. **Mixed Income and Affordability** A mixed income development shall be provided, with the maximum number of affordable units that are feasible. Note that “affordability” is not necessarily defined by federal standards, but is open to creative interpretation and may be provided through mechanisms such as quality of finish materials or smaller unit sizes. From the outside of the units, there should be no distinguishable difference between unit values.
- b. **Ownership** The maximize number of ownership units possible is desired (100% is encouraged). The Committee desires that there be a limit of one unit per buyer if this is feasible.
- c. **Alternative Ownership Models** Alternative ownership models such as limited equity units, co-housing, cooperative, or a land trust are encouraged in order to keep the units affordable over time.
- d. **Mix of unit sizes** Units should be the following mix to accommodate families and singles:
  - 50% larger units (3-4 bedrooms) to serve family or blended family housing.
  - 25% smaller units (studios and 1 bedroom) suitable for single young people or seniors.
  - 25% to be decided by the developer.

### 4. **Public Uses**

- a. **Indoor Public Space.** Indoor public space that serves the needs of the Munjoy Hill community may be provided, such as a community center, community-based non-profit space, or elderly or child day care.
- b. **Parking.** Provide sufficient parking so as to not impact the existing neighborhood.

### 5. **Alternative Ownership Models for Affordable Housing**

Proposers are encouraged to consider alternative forms of ownership that will encourage a mixed income community with long term affordability for the maximum number of units.

The City is specifically soliciting proposals to reuse existing Adams School site for a mixed income, owner-occupied community with the maximum number of units permanently affordable. Affordability can be secured by a land use restriction covenant in the deed.

Ownership may take a variety of forms including, but not limited to, condominium, limited equity cooperative or land trust as long as permanent affordability survives the resale of units. Proposals must outline how they will maintain mixed incomes and affordability.

## B. Land Use Regulations

Any redevelopment of this property will be subject to all applicable codes and regulations, including but not limited to building codes and zoning, site plan, subdivision and historic preservation requirements. Some relevant portions of these regulations are summarized below. Proposers are advised to refer to source documents for further information.

**R6 Residential Zone.** The Adams School site is located in the R6 Residential Zone. The R6 zone is characterized primarily by multifamily dwellings at a high density. Regulations for this zone are intended to provide a wide range of housing for differing types of households and to conserve the existing housing stock and residential character of the neighborhood. Parking requirements in the R-6 zone are 1.5 off-street spaces per dwelling unit.

**R-7 Zoning Overlay.** It is possible, given the City's interest in creating housing on the Portland Peninsula, that a proposed density for the reuse of the site may not meet the current R-6 zoning. Proposers may pursue an R-7 Zone change. The R-7 Zone allows higher density development and reduces the amount of off-street parking required to one off street space per dwelling unit.

**Contract Zoning.** The City of Portland's Land Use Code also provides for conditional or contract zoning in certain situations and circumstances. Under contract zoning, specific conditions or restrictions are drafted to provide zoning flexibility for the new use and ensure that the rezoning and reuse are consistent with the City's Comprehensive Plan. The new use must also be compatible with the surrounding neighborhood. Any zone changes would be subject to Planning Board review and approval and City Council approval if applicable.

**Incentives for Affordable Housing.** Portland's Zoning Ordinance provides incentives to developers of market-rate housing to incorporate affordable units. Information is found in Division 30 Section 14-484 of the City's Land Use Code. The incentives to encourage affordable rental and ownership opportunities include a reduction of development review and building permit fees, expedited review through the City's planning process, and bonuses for density and parking.

## C. Property Taxes

The City requires that the property shall pay full property taxes as determined by Portland's Tax Assessor, once it is redeveloped.

## III. THRESHOLD REQUIREMENTS

All proposals must incorporate the following threshold requirements for financial feasibility, green design, provision of a playground, a provision of public outdoor space, and salvage of the mural in the project design. These are threshold requirements that must be met, in order for the project to be eligible for further review.

**A. Financial Capacity and Project Feasibility**

The applicant must demonstrate financial capacity and project feasibility by:

- provide a business plan, which shall include prospective and committed sources of funding, development and operating budgets;
- a letter from a lending institution indicating the applicant's ability to finance the projected costs; and
- provide examples of prior projects that indicate the proven ability to develop a project of similar type and scale from a fiscal perspective.

**B. Green Design**

The site and buildings shall be designed to be certifiable on the principles of *Leadership in Energy and Environmental Design for Neighborhood Design (LEED ND)*, to be evaluated by a professional certified in *LEED*. The actual application for the certificate is the developer's choice.

**C. Playground**

A public playground exists on the site. It shall remain in its current location, or be relocated elsewhere on the south side of the site at the cost of the developer. Any new playground shall be of equal size and amenity, or greater to the existing. The playground will be parceled off during the review process, and owned and maintained by the City.

**D. Outdoor Public Space**

Outdoor public space shall be provided for residents and members of the surrounding community, in addition to the existing playground. There are two options to achieve this goal as follows. If the existing building is removed, Beckett Street shall be re-connected as a public, non-motorized right of way, access and view corridor (a paved street is not desired). If the existing building remains, public open space shall be created elsewhere on the site. This shall incorporate a public walkway along the north-south axis of the site. Year round accessibility is required.

**E. Existing Mural**

There is a concrete mural on the existing building that holds sentimental value for many neighborhood residents. The mural is made of concrete with an indented design. It was originally created by school children, one of whom is now a noted artist. Proposals for the site shall either present a plan to remove and store the mural with the assistance of an art conservator, or incorporate the mural in the proposed design, in a manner that is visible from the public realm.

**IV. SUBMISSION REQUIREMENTS**

Proposals shall be written and presented in the following format; please use the headings presented below for the organization of responses. Submission of graphic materials is desirable.

**A. Proposal Submission**

1. **Developer** Name, address, telephone, fax number of the proposed owner/developer and the name(s) of an alternative contact person(s).
2. **Proposal** Each proposal submitted must specifically outline the proposed reuse of the property. This proposal should include the requirements for the site, and the compliance with the goals in the *Reuse of the Adams School Site Final Draft Report*.
3. **Financial Feasibility.** Provide a business plan, which shall include prospective and committed sources of funding, development and operating budgets; a letter from a lending institution indicating the applicant's ability to finance the projected costs; and provide examples of prior projects that indicate the proven ability to develop a project of similar type and scale from a fiscal perspective.
4. **Timetable** Provide an overview of how the proposal will be implemented. Include approximate schedule for completion of each element, including applications for other public or private financing, and approximate cost estimate for each element.
5. **Developer Capacity** Identify the qualifications and experience of the development team for the project including a list of previously completed projects similar to the proposed project. This team may include key staff of the developer, architect, general contractor and future property management. Also discuss the ability to complete the project including the qualifications of the development team, management plan, experience, capacity, project readiness to proceed, and timeframe for completion.
6. **Occupancy and Management Plan** Present a plan detailing the ownership structure (condominium, cooperative, etc.), resale restrictions and resale process to ensure mixed income and long-term affordability.
7. **Purchase Price** Proposed purchase price for the property.
8. Drawing submissions which include, but are not limited to the following:
  - Schematic Design
  - Site and Layout Plan
  - Elevation Drawings
  - Sample Floor Plan
  - Perspective Renderings.
9. **Copies** 7 copies, with the original so marked, of each proposal shall be submitted.

**V. REVIEW PROCESS**

- A. Proposals will be reviewed for completeness.

- B. A technical team will review submissions and give the City Council’s Community Development Committee (CDC) a summary of the proposals, recommendations and a report detailing the approach of each proposal. The team’s recommendations are advisory only.
- C. The Community Development Committee will review the proposals and recommend one to the full City Council for review and approval.
- D. Upon completion of the award, a purchase and sale agreement will be negotiated (see legal requirements).

Public presentations may be required at any or all stages of the process.

**VI. EVALUATION OF PROPOSALS**

**A. Conditions for Review**

In general, the proposals for the site will be evaluated according to the policy goals for the site identified by the Adams School Reuse Committee. In addition, proposals must incorporate the threshold requirements listed below, in order for the project to be eligible for further review.

- 1. **Life Cycle Living** The goal is to create the possibility of life-cycle living on Munjoy Hill. A variety of unit sizes, a mix of incomes, and accessible design should be incorporated in order to allow housing opportunities for all.
- 2. **Connect the Neighborhood** The development should not be an island unto itself, but rather blend into and enhance the surrounding Munjoy Hill community. The design of the site should knit the neighborhood together both physically and functionally.
- 3. **Threshold Requirements** Additionally, the proposals shall incorporate the requirements listed in Section III page 6 for the incorporation of LEED ND design requirements, provision of a public playground, access through the site, and preservation of the existing mural.

**B. Criteria for Review** the proposals will be evaluated according to the criteria below:

Compliance with Design, Housing and Public Use Goals (As described in Section II. 2, 3, and 4 on pages 3 and 4)	50 pts
Ability to complete the project including the qualifications of the development team, management plan, experience, capacity, project readiness to proceed, and timeframe for completion.	20 pts
Total price offered for property.	30 pts



## **VII. FINANCIAL RESOURCES**

### **A. City of Portland Economic Development Center Resources**

1. A variety of loan programs are available to assist business and industries redevelop this property. Loans may be used for building renovation, leasehold improvements, working capital and machinery and equipment. Loans are considered gap financing. Loan amounts are dependent upon the source of the loan funds and their use. Loans of up to \$200,000 may be available for building improvements.
2. Development Action Grants are available to provide assistance to property owners by providing funds to assist in the construction of public infrastructure required by private development. Development Action Grants are capped at \$25,000.

Loans and grants are subject to the approval of the Downtown Portland Corporation.

### **B. Housing Resources**

#### 1. City of Portland Housing Program

The City of Portland's Housing Program offers homeownership and housing rehabilitation focusing on providing decent, safe and affordable housing for low and moderate income residents of Portland. For more information please visit the website at <http://www.portlandmaine.gov/planning/housingprog.asp>

#### 2. City of Portland's Housing Replacement Fund

The Housing and Neighborhood Services Division is offering an RFP to distribute Housing Replacement Funds in the City of Portland. The purpose of this fund is to promote and facilitate an adequate supply of housing, particularly affordable housing. For more information please call, 756-8246.

#### 3. Maine State Housing Authority

Maine Housing offers several programs to encourage private development of affordable rental housing for families, seniors or persons with special needs. Low income housing tax credits, development loans, direct development subsidies, affordable housing tax increment financing and more. Please see their website for more information, [www.mainehousing.org](http://www.mainehousing.org)

#### 4. Federal Home Loan Bank of Boston

The Federal Home Loan Bank of Boston administers an Affordable Housing Program through a competitive application process. For more information phone 888-424-3863 or visit their website, [www.fhlbboston.com](http://www.fhlbboston.com)

### **VIII. LEGAL REQUIREMENTS**

The selected developer will be required to provide a performance guaranty in the form of a letter of credit or a performance bond, the performance of the developer's obligations outlined in this Request for Proposal and subsequent contract to be negotiated with the City. This performance guaranty is separate from any performance guaranty that will be required as a result of the City's site plan review process.

The City shall convey the described real estate by quitclaim deed to the developer, or where the City has obtained a warranty deed for the real estate, it shall provide a warranty deed for the same to the developer. Any deed from the City will contain a restriction in the deed that the property must meet the permanent affordability requirements as described in this Request for Proposals.

In the event the City makes a financial contribution to a developer and to secure the developer's obligations, the City shall have a security interest in the form of a mortgage in the real estate to be developed. The terms of the mortgage shall be negotiated with the developer at the time of the commitment of funds.

### **IX. RESERVATION OF RIGHTS**

The City of Portland reserves the right, at its sole discretion, to award all, a portion, or none of the available funding from this RFP, as well as reject any and all proposals for the City owned land, based on the quality and merits of the proposals received, or when it is determined to be in the public interest to do so. Furthermore, the City may extend deadlines and timeframes, as needed.

The City reserves the right to waive any informalities in proposals, to accept any proposal, and, to reject any and all proposals, should it be deemed for the best interest of the City to do so. The City reserves the right to substantiate the Proposer's qualifications, capability to perform, availability, past performance record and to verify that the proposer is current in its obligations to the City, as follows:

Pursuant to City procurement policy and ordinance, the City is unable to contract with businesses or individuals who are delinquent in their financial obligations to the City. These obligations may include but are not limited to real estate and personal property taxes and sewer user fees. Bidders who are delinquent in their financial obligations to the City must do one of the following: bring the obligation current, negotiate a payment plan with the City's Treasury office, or agree to an offset which shall be established by the contract which shall be issued to the successful bidder.

May 19, 2008

Matthew F. Fitzgerald  
Purchasing Manager

**X. ATTACHMENTS**

1. Release and Hold Harmless Form
2. City Proposal Form

*Reuse of the Adams School Site Final Draft Report* is available for viewing in the City's Purchasing Office, Room 103, Portland City Hall, 389 Congress Street, Portland, ME between 8:00 am and 4:30 pm or online at <http://www.portlandmaine.gov/adamschoolfinalreport.pdf>.

**RELEASE AND HOLD HARMLESS**

I/We fully understand that the City of Portland, its agents, officers and employees accept no responsibility and will not be liable for any injury, harm or damage to my/our person or property occurring during or arising out of the entry by me/us onto the property known as the Adams School. To the fullest extent permitted by law, I/We do hereby agree to assume all risk of injury, harm or damage to my/our person or property (including but not limited to all risk of injury, harm or damage to my/our property caused by the negligence of the City of Portland, its agents, officers or employees) arising during or in connection with the said entry onto the property known as the Adams School. I/We hereby release and agree to indemnify and hold harmless the City of Portland, its agents, officers and employees from any and all liability, actions damages and claims of any kind and nature whatsoever (including but not limited to liability actions, damages and claims caused by or arising from the negligence of the City of Portland, its agents, officers or employees) for injury, harm or damages to my/our person or property known as the Adams School.

Dated: \_\_\_\_\_

Signature \_\_\_\_\_

Print name \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

**PROPOSAL**

**\*THIS PAGE MUST BE INCLUDED\***

The UNDERSIGNED hereby declares that they have read and understand all conditions as outlined in the invitation for bids, and that their proposal is made in accordance with same.

The UNDERSIGNED hereby declares that any person(s) employed by the City of Portland, Maine, who has direct or indirect personal or financial interest in this proposal or in any portion of the profits that may be derived therefrom, has been identified and the interest disclosed by separate attachment. (Please include in your disclosure any interest which you know of. An example of a direct interest would be a City employee who would be paid to perform services under this proposal. An example of indirect interest would be a City employee who is related to any officers, employees, principal or shareholders of your firm or to you. If in doubt as to status or interest, please disclose to the extent known).

TOTAL PRICE OFFERED FOR THE PROPERTY \$ \_\_\_\_\_ \*

The proposer acknowledges the receipt of Addenda numbered \_\_\_\_\_  
(If Applicable)

COMPANY NAME: \_\_\_\_\_  
(Individual, Partnership, Corporation, Joint Venture)

AUTHORIZED SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
(Officer, Authorized Individual or Owner)

PRINT NAME & TITLE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

TELEPHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

E-MAIL: \_\_\_\_\_ FEDERAL TAX ID NUMBER: \_\_\_\_\_

SALES TAX EXEMPTION NUMBER: \_\_\_\_\_

**NOTE: All submittals must bear the handwritten signature of a duly authorized member or employee of the organization making the proposal. This sheet must be signed and returned with the proposal package.**