

ATTACHMENT A

REQUEST FOR PROPOSAL



Facilities Management Division
Real Estate Services Section

King County TTY Relay: 711

www.metrokc.gov

PROPOSAL NUMBER:

***ALL PROPOSALS SHALL BE
SUBMITTED TO King County's Real
Estate Services Section NO LATER THAN
, , 2005, 2:00 P.M. EXACTLY***

BUYER:

500 Fourth Avenue
5th Floor, Room 500
Seattle, WA 98104
FAX-206-296-7467

DATE ADVERTISED:

REQUISITION #:

TITLE: ELECTIONS BUILDING

King County Department of Executive Services , Facilities Management Division, Real Estate Services Section

Sealed proposals are hereby solicited from building owners and owner representatives, real estate brokers and agents, non-profit corporations and governmental entities for the sale or lease to King County of an existing or build to suit building approximately 45,000 square feet in size located within 10 miles of downtown Seattle to house the King County Records and Elections Division with all appurtenant improvements and parking for 140 vehicles with additional offsite capacity to accommodate peak parking demands. (The adequacy of parking will be evaluated on a site-by-site basis).

King County will look at all proposals including but not limited to fee purchase of vacant land suitable for the building, long term lease of existing facilities built out to King County specifications, or a build to suit with a lease to own (63-20) option.

Proposals will be received only at the office of King County's Real Estate Services Section, 500 4th Avenue, 5th Floor, Room 500, Seattle, WA 98104, no later than 2 p.m., local time, Friday, , 2005. A seller, lessor or developer is sought by King County in accordance with the following instructions and requirements.

Submittal: King County requires the proposer to sign and return this entire Request for Proposal (RFP) document and to provide *one (1) unbound original and six (6) copies* of

the Letter of Interest and Proposal offered. The original in both cases shall be noted or stamped "Original".

Pre-Proposal Meeting: A meeting to discuss this Request for Proposal shall be held at , 2005, King County Administration Building, 2nd Floor, Lydia Conference Room (Room 215), 500 Fourth Avenue, Seattle, Washington.

After the Pre-Proposal Meeting, proposers must submit any further questions, in writing, prior to the close of business, 5:00 pm, , 2005, in order for King County staff to prepare any response required to be answered by Addendum.

Questions: King County staff, other than the individuals identified in this RFP, are prohibited from speaking with potential proposers about the project during the solicitation. Please direct all inquiries to:

Cal Hoggard, Manager
Real Estate Services, Facilities Management Division
Cal.hoggard@metrokc.gov / 206-205-5772

They may also be contacted through the fax line and address shown in the "seller" box on the first page of this document.

NOTE: Documents and other information are available in alternate formats for individuals with disabilities upon advance request by calling Mary Lou Allwine at 206-296-4210 or TTY 711.

SECTION I - GENERAL INFORMATION

- A. King County is an Equal Opportunity Employer and does not discriminate against individuals or firms because of their race, color, creed, marital status, religion, age, sex, national origin, sexual orientation, or the presence of any mental, physical or sensory handicap in an otherwise qualified handicapped person.
- B. Washington State Public Disclosure Act (RCW 42.17) requires public agencies in Washington to promptly make public records available for inspection and copying unless they fall within the specified exemptions contained in the Act, or are otherwise privileged.

Proposals submitted under this RFP shall be considered public documents and with limited exceptions Proposals which are recommended for an Agreement award will be available for inspection and copying by the public at the conclusion of the evaluation, negotiation and award process.

If a proposer considers any portion of his/her proposal to be protected under the law, the proposer shall clearly identify on the page(s) affected such words as "CONFIDENTIAL," "PROPRIETARY" or "BUSINESS SECRET." The proposer shall also use the descriptions above in the following table to identify the effected page number(s) and location(s) of any material to be considered as confidential (attach additional sheets as necessary). If a request is made for

disclosure of such portion, the County will determine whether the material should be made available under the law. If the material is not exempt from public disclosure law, the County will notify the proposer of the request and allow the proposer five (5) days to take whatever action it deems necessary to protect its interests. If the proposer fails or neglects to take such action within said period, the County will release the portion of the Proposal deemed subject to disclosure. By submitting a proposal, the proposer assents to the procedure outlined in this paragraph and shall have no claim against the County on account of actions taken under such procedure.

Type of exemption	Beginning Page / Location	Ending Page / Location

All submitted Proposals and King County evaluation materials become public information and may be reviewed by appointment by anyone requesting to do so **at the conclusion** of the evaluation, negotiation, and award process. This process is concluded when a signed Purchase and Sale Agreement is completed between King County and the selected proposer. Please note that if an interested party requests copies of submitted documents or King County evaluation materials, a standard King County copying charge of \$0.15 per page must be received prior to processing photocopies. King County **will not** make available photocopies of pre-printed brochures, catalogs, tear sheets, or audio-visual materials that are submitted as support documents with a Proposal. Those materials will be available for review, by appointment, at the King County Real Estate Services Section, 500 Fourth Avenue, 5th Floor, Room 500, Seattle, Washington.

No distribution of proposals shall be made by proposers prior to any public disclosure regarding this RFP, the proposal or any subsequent awards, without prior written approval of King County.

- C. News releases pertaining to this RFP, or the development project to which it relates, shall not be made without prior approval by, and then only in coordination with, the King County Department of Executive Services.
- D. All Proposals received in response to this RFP will be retained by King County.
- E. Proposals shall be prepared simply and economically, providing a straightforward and concise, but complete and detailed description of the proposer's abilities to meet the requirements of this RFP. Fancy bindings, colored displays and promotional materials are not desired. Emphasis shall be on completeness of content.

- F. King County reserves the right to reject any or all proposals received. The final selection, if any, will be that proposal which, in the opinion of King County, best meets the requirements set forth in this RFP and is in the best interest of King County.
- G. In the event it becomes necessary to revise any part of this RFP, addenda shall be provided to all proposers who, to the knowledge of King County staff, received the original RFP. If any proposer has reason to doubt whether King County is aware of the proposer's interest, it is the responsibility of the proposer to notify King County to be sure that addenda are received.
- H. King County is not liable for any cost incurred by the proposer. All costs incurred in the preparation of a proposal and participation in this RFP process shall be borne by the proposer.
- I. It is proposed that if a selection is made as a result of this RFP, a Purchase and Sale Agreement will be negotiated. If negotiations are not successful with the selected proposer, negotiations may be initiated with the second ranked proposer, and then each subsequent proposer, until the project is canceled or an acceptable Agreement is executed.
- J. A Purchase and Sale Agreement, lease or lease option, development contract or agreement may be entered into with the proposer whose Proposal is most advantageous to King County in accordance with the selection process and requirements set forth herein. King County reserves the right to reject any or all Proposals submitted or to cancel this RFP at any time.
- K. King County has a process for receiving protests based upon either proposals or agreement awards. If you would like to receive or review a written description of this process, please contact King County Real Estate Services Section at 206-205-5571.
- L. King County is committed to reducing costs and facilitating timely communication to the community by using electronic means to convey information. As such, this Request for Proposal, as well as any related exhibits, appendices, and issued addenda can be found on the King County Internet Web Site, located at <http://www.metrokc.gov/finance/procurement>. Please refer to the "RFPs, RFQs & ITBs / New / Consultants" portion of the site (note: some documents or portions thereof may not be posted on the site. Please note any special messages regarding this solicitation). This information is posted at the Web Site as a **convenience** to the public, and is not intended to replace the King County process of formally requesting Proposals and providing the County with contact information for the potential proposer. Each proposer bears the responsibility to confirm the completeness and accuracy of all documents pertaining to a given solicitation, including the receipt of all issued addenda.

If a proposer downloads a document from the Web Site and does not contact the Real Estate Services Section to obtain a hard copy, the proposer **must** use the "Feedback" (Envelope) button at the bottom of the Web page to convey the proposer's company name, contact name, mailing address and phone/fax number to the County. Please note which document/documents were downloaded.

After proposals have been opened, the County will post a listing of those submitting Proposals at the King County Internet site. Please refer to the "RFPs, RFQs & ITBs / Awarded / Consultants" portion of the site for a listing, as well as for a notification of any final award of the Purchase and Sale Agreement.

Unless otherwise requested, letters and other transmittals pertaining to this RFP will be issued to the e-mail address noted in our files, and after submittal, noted on the first page of this document. If other personnel should be contacted via e-mail in the evaluation of this Proposal, or are to be notified of evaluation results, please complete the information in the table below.

Contact Name	Title	Phone	E-mail address

M. Proposers are urged to use recycled/recyclable products and both sides of paper for printed and photocopied materials, whenever practicable, in preparing responses to this RFP.

SECTION II – PROPERTY INFORMATION, PROPOSAL EVALUATION, SCHEDULE

Project Purpose – Acquisition or lease of a high quality facility, or the lease of space in a high quality facility for the consolidation of King County Elections.

The King County Department of Executive Services is pleased to offer this opportunity for interested parties to respond to a Request for Proposal (RFP) for the delivery to King County of a facility which will allow the consolidation of King County Elections with the minimum requirements of the facility listed below.

Elections Minimum Facility/Program Search Requirements

A facility to serve elections needs over the next 20 years. This facility may be leased, leased with an option to purchase, or acquired by King County or developed on behalf of King County. Desired size is about 45,000 square feet.

The offeror needs to demonstrate that the building is or can be delivered with the following minimum shell and core attributes and the offer needs to include a specific fixed price feature that will deliver a facility with the following shell and core features:

1. All building components and mechanical systems be in good condition with 80 percent of useful life remaining.
2. Building structure complies with current seismic code requirements considering the estimated employee occupancy in the building.
3. The building must have a structural system creating minimal encumbrance to space planning.
4. The building must have readily adaptable HVAC and Power infrastructure. Capability to power up electrical system with portable generators.

5. The facility must be sound, and meet current building codes including fire safety and floor load capacity to meet intended use and structural seismic stability.
6. The facility must have at least two loading dock platforms, including one adjustable platform

The offeror needs to demonstrate that the building can has the existing infrastructure or can have appropriate tenant improvements installed and should include an allowance to have the necessary improvements constructed.

The offeror must demonstrate the capacity to construct the necessary tenant improvements and deliver the building for occupancy.

Requirements

Location Requirements:

1. Desired location within 10 minutes of the King County Administration Building/downtown Seattle core. This is loosely defined as an area falling no further north than South Lake Union, west of Lake Washington, and no further south than Tukwila. Should the location substantially vary from the desired location, the square footage requirement may need to be increased for added warehouse and distribution capacity.
2. Desired location within 2 miles of I-5.
3. Transit service to downtown Seattle at a maximum 30 minute intervals between 6:00 a.m. and 12:00 a.m. within 1-2 blocks of the facility.
4. Parking available for at least 140 cars with additional offsite capacity to accommodate peak parking demands. (The adequacy of parking will be evaluated on a site-by-site basis).
5. Access to loading bay doors must be open and not blocked by parked cars, to allow for deliveries a peak periods.
6. Secure neighborhood with good exterior grounds lighting, street lights, etc. and paved parking.
7. Viable proximity to I-Net cable infrastructure or broad band data service.
8. ADA accessible 'route of travel' into building.

Interior Requirements:

1. 27,000 RSF of open office to accommodate a county-wide vote-by-mail election, with a minimum of 20,000 square feet of contiguous space.
2. Additionally about 18,000 square feet of general office space for election administration and public services.
3. It shall have a minimum of 50 fc lighting at work surfaces.
4. Efficient HVAC system, providing office occupancy ventilation.

5. A separate network/server room with sufficient space (180 square feet) to locate multiple servers and a workstation.
6. All interior partitions must include multiple re-lights to allow visual access to all areas.
7. LAN wiring to accommodate 120 -wire cable runs for workstations, and 200 2-wire cable runs for tabulation devices, phones, etc.
8. Independent Tenant security system with video monitoring and keycard entry to specific secure areas.
9. Security cage of approximately 3,200 square feet. (included in the desired 45,000 square feet of total space) with floor to ceiling fencing and security access/monitoring system.
10. Power for 230 computer work stations and 30 printers, plus and additional 80 computer type devices.
11. Additional power for other small industrial equipment including high speed envelope openers, envelope insertion machines, battery chargers.
12. 1600 square feet of 16 foot high ceilings to allow for pallet shelving for ballot storage, with open floor plan, and room for forklift to maneuver.
13. Loading dock with adjustable lift to accommodate different dock height trucks.
14. Ground level height bay door.
15. Lunchroom for 75 occupants, including a counter with a sink and food preparation space. Refrigerator space for 150 persons.
16. Code compliant toilet facilities for 300 occupants.
17. Records shall be placed a minimum of three inches from the floor on sturdy, well-supported shelving units or file cabinets. Unbound inactive records shall be stored in file cabinets or in closed containers placed on shelves.

ENVIRONMENT

1. All areas shall be well-ventilated and shall not be subject to rapid and extreme fluctuations of temperature and humidity (more than ± 40 o or 40% within 24 hours).
2. It shall be free of vermin and other pests.
3. The facility shall not be located in any area where the risk of natural and man-made disasters pose significant threats to the facility and its contents. It shall be located sufficiently separate from external hazards to ensure a high degree of safety from such occurrences as fire and flood.

SECURITY/PROTECTION

1. It shall be located within the coverage area of a fire station and near a regularly patrolled police route.
2. It shall have an operational fire detection mechanism with external audible alarm and off-site monitoring.

General Requirements

Any costs associated with the necessary tenant improvement to meet the elections programming requirements must be included in this proposal.

Financing

Alternative financing programs such as IRS section 63-20 programs, lease/lease back, build to suit, lease to own or other methodologies will be considered.

A Background Materials and Boilerplate Documents Available from King County

The following materials and documents are available for review. King County staff contact information is presented on page two of this RFP. A copying charge must be received prior to processing photocopies. (\$0.15 per page for 8 ½" by 11" copies, and \$1.18 per page for 36" by 48" drawings).

- Motion 12099
- Ordinance 15246
- Report by The King County Independent Task Force on Elections completed July 27, 2005.
- The Independent Management Audit, Completed October 3, 2005
- The Citizen's Election Oversight Committee report, *scheduled for completion February 2006*
- King County 2005 Space Planning Options: Analysis of 2005 High Priority Space Requirements.
- King County Real Estate Purchase and Sale Agreement Boilerplate. (Available as photocopy.)
- King County Lease Agreement boilerplate (Available as photocopy)

B. Proposal Submittal and Proposal Selection Process

This RFP outlines the information necessary to understand the selection process and the documentation required for submitting a Proposal for this Acquisition.

After reviewing this RFP and attending the Pre-Proposal Conference, any prospective proposer that determines it has the necessary expertise and experience to successfully satisfy the above-

stated goals and below stated requirements of King County, shall apply for consideration by submitting a Letter of Interest and Proposal. Those parties submitting Letters of Interest and Proposals shall be referred to as "proposers."

In addition to one (1) signed original of this RFP document, each proposer shall submit one (1) signed original Letter of Interest and one (1) unbound original Proposal. Further, each proposer shall submit six (6) copies of both its Letter of Interest and Proposal. The Letter of Interest shall not exceed two (2) pages and shall contain information not requested in the Proposal but that the proposer deems important. Each copy of the proposal shall include the name and address of the proposer. Following receipt of Letters of Interest and Proposals, and at the County's sole discretion, the County reserves the right to request additional information.

An Evaluation Committee ("Committee") consisting of staff from King County will evaluate each proposal. proposers may be requested to make an oral presentation to the Committee as part of the selection process. The Committee will review and evaluate Proposals using the evaluation criteria set forth in this RFP. The Proposals will be ranked by the Committee.

Proposals shall be submitted according to the criteria established in this RFP. Proposals that fail to be submitted in accordance with the procedures and specified requirements herein may be considered "non-responsive" and will be subject to rejection by the County. proposers are discouraged from submitting lengthy proposals. All costs incurred in the preparation and submittal of a Proposal, as well as the costs resulting from on-going participation in this RFP process, shall be borne by the proposers. The County shall not reimburse proposers for such costs under any condition.

No Proposal shall be accepted after 2:00 p.m.. Date to be determined by council depending on the time required for Council review and approval of items specified in Ordinance 15246. There shall be no exceptions to this requirement.

All proposals received by King County shall remain valid for ninety (90) days from the date of submittal.

King County reserves the right to reject all Proposals received.

C. Proposal Evaluation Criteria

The criteria underlined below will be used in evaluating Proposals. Agreement award, if any, will be made to the Proposer who, in the opinion of King County, best satisfies these evaluation criteria. To assist in the evaluation, Proposals shall include the following requested information in a clear, comprehensive and concise manner.

1. The proposals will be judged on which proposal best provides for a consolidated elections facility based on the aforementioned criteria, and on whether the proposal meets the terms

and criteria outlined in the three independent reports dated July 27 2005; October 3 2005, and scheduled for completion on February of 2006.

2. Ability to Perform.

To assist in Proposal evaluation, Proposals must include the following information:

- (a) The qualifications of the key members of the proposer's team and the role of each member.
- (b) Evidence of past experience with planning, design, construction, and/or delivery to a public agency of a facility of similar complexity and design to the proposed project.
- (c) Past record of performance on Real Estate Purchase and Sale Agreements or other agreements or contracts with King County, other government agencies or public bodies, and with private industry, including adherence to development commitments, quality of development, and ability to meet schedules.
- (d) Five references reflecting the proposer's ability to adhere to development commitments, construct quality mixed use and/or quality development projects, meet development schedules, and work successfully with the development and regulatory requirements of King County, City of Seattle or other local jurisdictions. Include name, title, phone number, mailing address, and email address.

D. Schedule

- Issue Request for Proposal _____
- Pre-Proposal Meeting _____
- Final Questions deadline _____
- Due Date for Proposals _____
- Oral Interviews, if necessary optional, to be announced
- Tentative Selection of proposer _____
- Execution of Purchase and Sale Agreement _____
- or Lease _____

SECTION III – MINIMUM TERMS FOR REAL ESTATE PURCHASE AND SALE AGREEMENT

The County may undertake negotiations with the selected proposer for completion of a final Purchase and Sale Agreement or Lease. The Purchase and Sale or Lease Agreement will include, among other terms and conditions, the following required provision:

Purchaser Lessee Contingencies

a) Due Diligence Inspection and Feasibility for the Facility. During the Due Diligence Period, Purchaser Lessee, and its designated representatives or agents, shall have the right, at Purchaser's expense to (i) perform any and all tests, inspections, studies, surveys or appraisals of the Facility deemed necessary, on any subject, by the Purchaser (subject to the limitations set forth below and Paragraph 8, Access); (ii) examine due diligence materials that Purchaser may

reasonably request from Seller that are not subject to attorney-client privileged or that the Seller is not otherwise prohibited from disclosing by law; (iii) determine to its satisfaction whether approvals, permits and variances can be obtained under applicable land use and zoning codes for Purchaser's proposed development of the Facility.

Closing Costs

The Purchaser shall pay one half of closing costs and obtain all Title Insurance policies associated with the facility transaction at its sole cost and expense.

Extension of Purchaser's Contingency Period

The contingency period may be extended by the Purchaser for up to two (2) consecutive 90-day periods upon payment of a contingency deposit. A \$15,000 deposit is required for each 90-day extension. Contingency deposits are non-refundable and will not be applied to the purchase price.

SECTION IV – SUBMITTAL CHECKLIST

- A. One (1) signed copy of this Request for Proposal document, marked "Original".
- B. One (1) signed copy of any Addendum that was issued, marked "Original". (If the Addendum has a signature box at the bottom of the first page, it must be returned also).
- C. One (1) signed Letter of Interest, marked "Original".
- D. Six (6) copies of the signed Letter of Interest.
- E. One (1) unbound original Proposal, marked "Original."
- F. Six (6) copies of the Proposal.
- G. Complete the Proposal Identification Label below (or reasonable facsimile) and attach it to a prominent place on the exterior of the submission envelope, box, etc.