



Request for Proposal (RFP)
Michigan Department of Technology, Management and Budget (DTMB)
for
DEPARTMENT OF STATE (DOS) – DETROIT, WAYNE COUNTY
SR #2020-0002
OCTOBER 30, 2019

RFP Summary, Submission Requirements and Checklist

SUMMARY

Agency:	Department of State (DOS)
Location:	Cadillac Place Building, Detroit, Wayne County
Square Footage/Use:	Parking spaces
Floor(s):	n/a
Parking Requirement:	Twelve (12)
Occupancy Date:	January 1, 2020
Lease Agreement:	Standard form of state rental agreement is attached to this RFP.
Note:	All Space Available Proposals (SAPs) received in response to this RFP will be posted to the DTMB real estate website (DTMB-realestate@michigan.gov) within 7 business days of the RFP due date. Note: Bidder's signatures and personal contact information will be redacted. Please review this RFP in its entirety, as substantial changes have occurred.
Commission:	I/we acknowledge that there is no broker for this transaction and no commission will be paid. The attached proposal and pricing are reflective of this acknowledgement.
Other:	Two (2) hard copies of proposals must be received by 5 p.m. E.S.T. on November 14, 2020

SUBMISSION DOCUMENT CHECKLIST

- ☐ Written summary of proposal
- ☐ Complete Space Available Proposal (SAP) form
- ☐ Proof of ownership of property (recorded deed or fully executed purchase agreement, purchase option, or master lease for subject property)
- ☐ Proof of legal authority to enter into agreement (see attached "legal documentation and signature requirements checklist")
- ☐ Signed bidder's acknowledgement

SUBMISSION DUE DATE / PROCEDURES

Two (2) hard copies of each proposal, clearly indicating the appropriate proposal number SR #2020-0002, must be received by 5:00 p.m. E.S.T. on Thursday **November 14**, 2019 to: Eric Yope, Project Manager, Real Estate Division, Michigan Department of Technology, Management, & Budget, 3111 W. St. Joseph Street, Lansing, MI 48917.

Please be advised that proposals MUST be received by the date and time stated herein or they will not be accepted. There will be NO exceptions.

An electronic version of the proposal is also requested and should be submitted to dtmb-realestate@michigan.gov within 24 hours of the due date defined herein; please indicate the appropriate proposal number SR# 2020-0002 in the subject line.



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Introduction and Overview

The State of Michigan, by the Department of Technology, Management and Budget (DTMB/State or Tenant), for the Department of State (DOS) is evaluating their space alternatives in Detroit, Michigan. Please respond to the Request for Proposal (RFP) if you (Landlord or Bidder) have a potential location in the geographic boundaries set forth in this RFP. If you have more than one potential location, submit separate proposals for each location.

Please review and read this package thoroughly. Your proposal should be based on the sample documents and the requirements as detailed in this package.

Please be advised that State tax credits and incentives are administered by the Michigan Economic Development Corporation (MEDC), who is the appropriate contact for resources and program information. The DTMB will not accept proposals contingent upon receiving credits, incentives or other project cost inducements.

The State reserves the right to waive any irregularities or defects in any submission; to request clarifications or additional information regarding proposals; to conduct a Best and Final Offer (BAFO); and to reject any and all proposals at its sole discretion. The submission of this RFP does not constitute an agreement to lease with the State. The State shall assume no liability whatsoever for any expense incurred by a Bidder in replying to this RFP. The State shall also assume no liability for any development risk of a successful bidder. A lease agreement, if completed, shall be with the proposal deemed to have offered the best value to the State of Michigan.

Pursuant to 1984 PA 431, as amended, ("The MB Act"), the Department of Technology, Management and Budget is the only agency authorized to enter into lease agreements on behalf of the State of Michigan. No individual, employee or agent of the State of Michigan has authority to bind the State without proper authorization. Bidders are directed to section VI.4 Proposal Submission of this RFP for correct information on the submission of a proposal. Bidders are hereby notified that communications during the RFP process non-compliant with the Proposal Submission guidelines may result in disqualification of a proposal.

Any release to the public of information relating in any respect to the contemplated lease agreement or any other matters set forth (i.e. advertisement, ground breaking, press releases, etc.) must have prior written approval and be made only in the form approved by the DTMB Director.

I. Space Requirements

- I.1. Location:** The space shall be located within the boundaries of Bethune Street W to the North, John R Street to the East, W Baltimore Avenue to the South and 3rd Street to the West. This includes properties on either side of the street delineating the boundaries. Please identify the location of the space by street and mailing address.
- I.2. Space (Premises):** The State requires parking spaces. The State reserves the right to increase or decrease the size of this requirement by up to 10%. Special circumstances may require more extensive program size changes.
- I.3. Parking:** The State requires twelve (12) parking spaces. Please describe the parking provided at the site, including the total number of spaces available and provide detail as to how you will meet this parking requirement.

- I.4. Occupancy/Commencement:** The Occupancy/Commencement Date is the latest date on which the Tenant begins beneficial use of the Premises. The Landlord will deliver the Premises to the Tenant no later than January 1, 2020.

II. Term

- II.1. Initial Term:** The Initial Term is for a maximum of twelve (12) months.

Please propose a fixed, or flat, rental rate for a Gross agreement: including all expenses – taxes, insurance, janitorial services, maintenance, etc.

- II.2. Renewal Option(s):** None.

- II.3. Adjustments/Escalations:** There will be no adjustments made to the rental consideration.

- II.4. Allowances and Contributions:** None.

- II.5. Concessions:** The State is very interested in acquiring market concessions for this transaction. Any concessions, especially the timing of such, will be a major factor in assessing proposals received. Concessions may include reduced rent, free rent, moving allowances or any other item you are willing to incorporate into the proposal. Clearly a combination of these items may be included. The State reserves the right to apply the concessions in the manner most beneficial to the Tenant.

- II.6. Cancellation:** All State lease agreements for real property are required to contain a cancellation provision as established within the framework of the Michigan Constitution. The attached sample rental agreement and SAP contain this provision.

- II.7. Security Deposit:** The State will not provide a security deposit.

- II.8. Alternative Terms:** Bidders are encouraged to respond to the specific requirements listed in this RFP, as alternative proposals may or may not be considered. All proposed alterations from the standard form of lease agreement attached to this RFP must be clearly identified. The State must receive sufficient information to accurately assess all proposals. The State reserves the sole and exclusive right to consider alternative proposals, to seek proposal clarification, and to reject any and all proposals.

III. Building Standards and Systems

- III.1. Building and Tenant Improvements:** None.

- III.2. Construction Taxes, Permits and Fees:** None.

- III.3. Network and Telecommunication Services:** None.

- III.4. Environmental Disclosure:** The Landlord covenants that he/she has undertaken a due diligence inquiry of the Premises. The Premises, and property on which the Premises is located, is free of any toxic, hazardous or injurious substances as defined under Federal and State laws and regulations.

- III.5. Recycling Services:** None.

IV. Forms and Documents

- IV.1. Enclosed Documents:** The enclosed documents (electronic copies only) are provided to assist you in establishing your rental rate:

- Sample Rental Agreement
- Legal Documentation and Signature Requirements
- Excerpt from PA 295 of 2008
- Bidder's Acknowledgment

- IV.2. Space Available Proposal Form(s):** To be considered, your proposal shall be made on the enclosed Space Available Proposal form(s) and all blank spaces on the form(s) shall be filled in. Please note: Proposal forms not completely filled in may be rejected.

Your signature shall be in longhand, and no part of the proposal form shall be altered (except for your alternate proposals, if any).

- IV.3. Standard Rental Agreement Form:** All lease agreements entered into by the State of Michigan are based on the Standard Rental Agreement form pre-approved by the Attorney General's office, which is enclosed with this RFP. Any requested exceptions or alterations to this Standard Rental Agreement form must accompany your proposal. However, the Attorney General's office must approve as to legal form any proposed revisions. Exceptions to the Rental Agreement form may have an impact on the recommendation. The State of Michigan reserves the right to make further modifications to the Rental Agreement document to accurately reflect final business terms.

V. Required Approvals for State Lease Agreements

- V.1. Requirements for State Lease Agreements:** The proposed Rental Agreement shall not be binding or effective on either party until approved and signed by the Landlord and the Tenant; and signed and notarized by the Department of Technology, Management and Budget. If the Lease or any subsequent amendments to it fall within the requirements of 1984 PA 431, as amended, MCL 18.1101 et seq. ("The MB Act"), the Rental Agreement and any subsequent amendments to it shall also require approval of the Joint Capital Outlay Subcommittee of the Legislature. The effective date of the proposed Rental Agreement is the date the last State governmental approval is obtained as set forth on the signature page. At any time prior to the last State governmental approval, the State reserves the right to reject the proposal and terminate the Rental Agreement approval process.
- V.2. Legal Documentation:** Pursuant to The MB Act (Public Act 431, as amended) all lease agreements must include the submission of documentation necessary to evidence legal authority of Bidder to enter into the lease agreement, including the signatory's authority to bind. For your convenience, a guideline indicating necessary legal documentation is included with this RFP. Failure to provide appropriate legal documentation may result in your proposal being rejected.

VI. Selection Criteria and Submission

- VI.1. Selection Criteria:** The selection of the recommended proposal is based on, but is not limited to, the following criteria:
- A clear and concise proposal, particularly in terms of dates, numbers, dollars, and any other information requested in this RFP. Vague and/or general proposals may be rejected.
 - The ability to comply with Barrier Free Design
 - The overall cost, which is deemed in the best interest of the State
- VI.2. Required Documents:** Please return the following documents for our review and consideration. Please note: Failure to provide the following may result in your proposal being rejected.
- Written Summary of Proposal
 - Completed Space Available Proposal form(s)
 - Proof of ownership of Property (recorded deed or fully executed purchase agreement, purchase option, or master lease for subject property)
 - Proof of Legal authority to enter into the proposed agreement
 - Signed Bidder's Acknowledgement
- VI.3. Questions and Answers:** Questions concerning clarifications or standards contained in this RFP are to be submitted by e-mail only (please indicate the appropriate proposal number in the subject line) no later than 5:00 p.m. on November 4, 2019 to dtmb-realestate@michigan.gov

All questions and answers will be posted to the website at www.michigan.gov/dtmb-realestate no later than November 6, 2019. Prospective Bidders should check the website for any updates, questions and answers.

The State will not respond to telephone inquiries or visits by Bidders or their representatives or respond to questions after the due date.

- VI.4. Proposal Due Date:** Two (2) hard copies of each proposal, clearly indicating the appropriate proposal number SR #2020-0002, must be received by 5:00 p.m. Eastern Standard Time on November 14, 2019 to:

Eric M. Yope, Project Manager, DTMB Real Estate Division
Bid Response for SR #2020-0002
3111 W. St. Joseph Street
Lansing, MI 48917

Please be advised that two (2) hard copies of your proposal **MUST** be received by the date and time stated herein or your proposal will **NOT** be accepted. There will be **NO** exceptions.

An electronic version of the proposal is also requested and should be submitted to dtmb-realestate@michigan.gov within 24 hours of the due date defined herein; please indicate the appropriate proposal number SR #2020-0002 in the subject line.

All proposals shall be valid for one-hundred and twenty (120) days from the submission due date, unless mutually agreed to in writing by both parties.

- VI.5. Best and Final Offer (BAFO):** A BAFO may be requested at the sole and exclusive discretion of the DTMB or its agent. A BAFO or other alteration to original proposals submitted after the Proposal Due Date will not be accepted unless requested in writing by the DTMB or its agent.

A BAFO may be requested from one or more proposers during the review and evaluation process. If the evaluation process does not lead to a viable recommendation and there are alterations to the original RFP requirements, the requirements will be presented to all Bidders with a due date for submission.

Bidders will not be provided any information about other proposals, or where a Bidder stands in relation to others, at any time during the evaluation process.

- VI.6. State Acceptance and Authority:** After all proposals have been analyzed and the recommendation is made to and accepted by the Department, DTMB will notify all Bidders accordingly. Any proposals not meeting the minimum requirements of the enclosed sample lease agreement and instructions may be rejected.

It is the State's practice to select the lowest most responsive bid in consideration of all factors set forth in this RFP. The lowest bid does not necessarily mean it will be selected.

The MB Act (1984 Public Act 431, as amended) specifies that the DTMB is the only Department authorized to enter into lease agreements, subject to obtaining all necessary approvals. No individual, employee or agent of the State of Michigan has authority to bind the State without proper authorization.

In accordance with the above, oral and written promises or representations made regarding a lease agreement, existing or proposed, or transmittal of written documents that have not been approved by the State Administrative Board, shall not be binding on the State. You must receive a fully executed document, signed by an authorized representative of the DTMB, for an agreement to be valid.

Thank you for your interest in doing business with the State of Michigan.