

REQUEST FOR PROPOSAL – MIXED USE LIBRARY PROJECT



Appleton  
Public Library

**PROPOSALS SOUGHT BY:**  
**City of Appleton**  
**c/o Community and Economic Development Department**  
**Attn: Karen Harkness**  
**100 North Appleton Street**  
**Appleton, WI 54911**  
**(920) 832-6468**  
Karen.Harkness@appleton.org

**November 16, 2017**

**CITY OF APPLETON – REQUEST FOR PROPOSAL**  
*Mixed Use Library Project*

*This entire RFP and all Exhibits are available at the City of Appleton website [www.appleton.org](http://www.appleton.org). Follow the “RFP” link at the top of the City’s homepage.*

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## **I. INTRODUCTION**

The Appleton Public Library's (APL) long term planning indicates that the current facility at 225 N. Oneida Street no longer meets the needs of the library. Originally built in 1981, the library building has infrastructure challenges that limit options for modern library service. APL is one of the busiest buildings in the downtown, serving an average of 1,500 people a day.

The City of Appleton (City) and Appleton Library Board are seeking a qualified developer for a mixed-use library development which may include residential, retail, office, medical or a mixture of uses in addition to the library. The design should create appropriate separation of uses, providing clear access and entrances for the library and other uses, as well as provide parking as appropriate for the entire mixed use development.

The City of Appleton is located in the Fox River Valley of northeastern Wisconsin and has a population of approximately 73,000. APL provides service to a population of 115,000. The City is serviced by Interstate 41, US Highway 10 and US Highway 441. It is 90 miles north of Milwaukee and 30 miles southwest of Green Bay. More information about the City is available on our website at [www.appleton.org](http://www.appleton.org).

Downtown Appleton is the heart of the Fox Valley. As an arts and entertainment district, Downtown has embraced the creative economic energy of business, tourism, education and love of the Fox River. Downtown's resurgence and increased vibrancy has drawn recent praise with College Avenue being named one of the "Great Places in America" by the American Planning Association in 2014.

Several major projects currently in progress will impact the City in general and Downtown specifically, as they will influence future mobility, connectivity to the riverfront, residential density, and attraction of conventions and visitors. Appleton continues to see demand for new housing units and has a solid commercial and industrial base. Strategic and ongoing investment in Downtown remains a top priority for the City, and the issuance of this RFP for a mixed-use Library Project is a critical step in this process.

## **II. PROJECT PRIORITIES & OBJECTIVES**

Developers are encouraged to propose a new site or to consider redevelopment of the existing library site/area for this mixed-use project. The site must create a premier project that will enhance the downtown, contribute to the arts and culture of the area, and foster economic development that will benefit the entire community.

Proposals should take into consideration the needs and current market condition. Building designs and material should complement the existing urban form of the area as well as the goals spelled out in Chapter 14: Downtown Plan (Comprehensive Plan 2010-2030). Utilization of the land should leverage public (federal, state and local)

funds and private funds in order to develop the site into a vibrant, sustainable mixed use development.

In 2017, the Appleton Common Council and Appleton Library Board approved and supported, respectively, the five-year update to the City Comprehensive Plan 2010-2030. In addition, both bodies unanimously agreed to issue this mixed-use RFP that should align with the Comprehensive Plan, Downtown Parking Study, Downtown Mobility Study, Tax Incremental Financing Districts #11 and #12, and the current APL building program and documents.

The City is seeking proposals for an approximately 120,000 square foot requirement for APL in a mixed use development. Proposals for City ownership or lease would be considered. General requirements for the physical space include:

1. Approximately 120,000 square feet of space.
2. The “public” portion of the library should not occupy more than 3 floors (Approx. 110,000 square feet).
3. “Non-public” portions of the library (Administration, Network Services, Technical Services, etc.) can be located on other floor(s) (Approx. 10,000 square feet).
4. The general physical needs identified in the “Library Needs Assessment Final Report 8-25-14” (Section IX. Reference Materials) for APL have not changed. However, the space for Parks and Recreation and OWLS are not part of this RFP and should not be included. APL’s building program will need to be refreshed prior to actual design.
5. APL should serve as a primary floor anchor with its own entrance and primary meeting room spaces allowing after-hours access. APL must be able to function independently from the rest of the development.
6. Demonstration of available parking as appropriate for the entire mixed use development should be included.
7. If proposing a redevelopment of the existing site, provide a temporary library location.

In addition to the physical space requirements, it will be crucial for the proposed development to support the City’s redevelopment goals as spelled out in Chapter 14: Downtown Plan (Comprehensive Plan 2010-2030). As such, a mixed use proposal is anticipated to ensure the highest and best use of the proposed development.

Section IX. Reference Materials provides historic detail of APL’s needs, site preferences and analysis completed to date. Due to the dynamic nature of ownership, development, and redevelopment, any site within the boundaries of Exhibit A –Mixed Use Library RFP Boundary Map will be considered and weighed as spelled out in the “Evaluation of Proposals” section of this RFP.

### III. POTENTIAL SITE OPTIONS

Respondents are invited to submit proposals for a mixed-use development, including a new or remodeled library, located within downtown Appleton. The geographic boundary is shown on Exhibit A – Mixed Use Library RFP Boundary Map. One potential scenario involves relocating the library to a different site. The other scenario involves utilizing the existing library site and/or other City-owned property in the nearby area (see Exhibit B – Current Library Site). Some details on the existing library site are provided below. Any land to be assembled as part of the project for either scenario is at the discretion and responsibility of the developer.

#### **Background Information on Existing Library Site**

**Location:** 225 North Oneida Street (Tax ID #31-2-0397-00)

**Legal Description:** APPLETON PLAT 2WD LOTS 1, 2, 3, 4, 5 & 6 BLK 38

**Common Description:** Area bound by North Appleton Street, West Franklin Street, North Oneida Street, and West Washington Street

**Area:** 94,782 square feet m/l (2.18 acres m/l)

**Registered Neighborhood:** Downtown Neighborhood

**Current Zoning:** CBD Central Business District - City of Appleton Zoning Ordinance (Chapter 23) available at <http://www.appleton.org/home/showdocument?id=482>.

**Utilities:** Served by existing water, sanitary sewer, and storm sewer.

The existing library will be made available for inspection on December 6, 2017 at 9:00 a.m. for those anticipating submitting a proposal.

### IV. PROPOSAL REQUIREMENTS

Proposals must be organized in the following order of sections:

#### 1. EXECUTIVE SUMMARY

- a. A succinct, high level description of the proposed project
- b. Identity and contact information for the developer(s)
- c. The Executive Summary should be signed by a Principal or authorized agent of the proposing developer

#### 2. DESCRIPTION OF FIRM & PERSONNEL: Detailed description of the

organizational structure/hierarchy for the development team, including relationship of the partners to each other (if appropriate) and responsibilities of key personnel to be involved in this project. Provide professional resumes for the key personnel to be assigned.

3. **EXPERIENCE AND ABILITY TO COMPLETE PROPOSED PROJECT:** Statement regarding experience and qualifications relative to this project, including references of individuals who can provide assessments of your previous work on similar projects. List relevant public sector clients for whom you have performed similar work. For each project listed, provide the name, address and a contact number of the client's representative who can be contacted regarding the project.
4. **PROJECT APPROACH:** Provide a narrative description of how your firm proposes to execute the project, including the location of proposed library and why it was chosen, how you will address the library's programming needs, and how the proposal meets the stated objectives and goals. Describe the intended relationship between the Library/City Staff and the public during the process. Submit a statement as to why you believe your firm is the best qualified to carry out the project.
5. **CONCEPTUAL DEVELOPMENT PLAN:** Provide a detailed description of the proposed project, including conceptual designs with enough details to evaluate the building and site relationship, parking, landscaping, floor plans, elevations and renderings. Providing 3-D modeling and project "fly-through" is suggested but not required.
6. **PROPOSED PROJECT COST, FINANCING AND SCHEDULE:** Proposed financing strategy, including sources and uses of funds. Demonstrate ability to secure sources of funds. Provide documentation to demonstrate project feasibility. Anticipated timetable for completion of the project and sequence of events.
7. **PROPOSED RENT SCHEDULE AND/OR PURCHASE PRICE:** Provide details on cost to City for proposed APL facility.

Any other information you deem relevant in helping us to evaluate your proposal is welcomed. The City reserves the right to negotiate a development agreement with the developer(s) of the selected proposal.

## **V. DIRECTIONS FOR SUBMITTAL**

To be deemed timely, Ten (10) hard copy proposals and one (1) electronic copy in a PDF format shall be received on or before January 12, 2018 at 12:00 p.m. CST by:

City of Appleton  
c/o Community and Economic Development Department  
Attn: Karen Harkness  
100 North Appleton Street  
Appleton, WI 54911  
Karen.Harkness@appleton.org

Proposals may be mailed or hand-delivered, but in either case must be received and stamped by the specified date and time. The City reserves the right to reject any and all proposals or to negotiate any or all aspects of the proposal as permitted by law. Proposals received after the above listed due date and time may be rejected by the City and returned unopened to the developer.

## **VI. DISCLOSURES, TIMELINE, TERMS & CONDITIONS**

1. The Proposal of the selected developer will become the basis for any contract entered into and will become subject to the City's provision on public access to open records and information.
2. To the extent a developer includes any uniquely proprietary or confidential information in the Proposal, the developer must clearly and unequivocally mark such information. The City will not reveal any such information to any third party, unless required to do so by law.
3. Developers must agree to make no other distribution of their Proposal beyond that made to the City and once under contract, all information gained in the process and work product is the ownership of the City.

## PROJECT TIMELINE

Activity	Estimated Date
APL tour of facilities and site for RFP respondents	9:00 a.m. December 6, 2017 CST
Request for Proposal deadline	12:00 p.m. January 12, 2018 CST
City & APL staff review and score request for proposals for conformity with RFP requirements and select consultant for interviews	January 19, 2018
In-person interviews and final development concept selection	January 29, 2018
Finalist notified	January 30, 2018
Public Presentation by the successful developer to Library Board and Common Council	TBD
Library Board and Common Council approval	TBD

NOTE: This timeline should be considered a draft. The City reserves the right to deviate from this schedule.

## TERMS AND CONDITIONS

1. Termination - If for any reason the firm selected shall fail to fulfill the obligations agreed to in a timely manner, the City shall have the right to terminate the contract by specifying the date of termination in a written notice to the firm at least seven (7) days before the termination date. In this event, the firm shall be entitled to just and equitable compensation for the work satisfactorily completed.
2. Insurance - The successful developer will be required to furnish, within five (5) days of award notification and before commencing work, the certificate of insurance specified in Exhibit C - Insurance Requirements for professional services work. The certificate shall name the City, its officers and employees, as additional insured.
3. Bid Procedure - City procurement policies and bid procedures will have to be followed.
4. Indemnification Clause - The agreement resulting from this RFP shall be required to contain the following:  
  
"The developer agrees to indemnify, defend and hold harmless the City and its officers, officials, employees and agents from and against any and all liability, loss, damage expense, costs (including attorney fees) arising out of this



agreement, caused in whole or in part by developer or anyone for whose acts any of them may be liable, except where caused by the sole negligence or willful misconduct of the City.”

5. The Developer must comply with all applicable local, state and federal regulations.
6. Contract Term - The contract resulting from the award of this RFP shall commence as soon as administratively possible following award notification and shall continue until all agreed upon tasks have been satisfactorily completed.
7. Right to Reject - The City reserves the right to reject any or all proposals, to waive technicalities, or to accept the proposal deemed to serve the City’s best interest.
8. Proposal Costs - All costs associated with preparation, submittal and presentation of proposals shall be borne by the developer.

## **VII. EVALUATION OF PROPOSALS**

Proposals will be evaluated on the basis of the degree of compliance with, and adherence to, the preceding proposal requirements and the following principles and guideline items:

1. Compliance with, and satisfaction of the Priorities and Objectives section of this RFP.
2. Conformance to the requirements and objectives of the City of Appleton Comprehensive Plan 2010-2030 and Chapter 14 Downtown Plan.
3. Compatibility of the project with the adjacent land uses.
4. Determination regarding the ability of the developer to carry out the proposal.
5. Amount of total investment and contribution to the City’s tax base.
6. Cost to the City.
7. Quality and stability of proposed development.

The City reserves the right to reject any and all proposals or to negotiate on any or all aspects of the proposal as permitted by law. Developers may be asked to present their proposal and answer questions of the City. If such a request is made, developers will be given at least five (5) working days’ notice.

## **VIII. ATTACHMENT LISTING**

The following Exhibits are attached.

Exhibit A – Mixed Use Library RFP Boundary Map

Exhibit B – Current Library Site Map

Exhibit C – Insurance Requirements

## **IX. REFERENCE MATERIALS**

The following documents are listed for reference purposes.

### **Library Studies**

Library Needs Assessment Final Report 8-25-14

<http://www.apl150.org/sites/apl150.org/files/pagefiles/APL%20Final%20Report%2008-25-14.pdf>

2013 Strategic Plan Updated 2016

[http://www.apl.org/system/files/FinalPlanWOStats\\_0.pdf](http://www.apl.org/system/files/FinalPlanWOStats_0.pdf)

Library Site Evaluation Criteria

<http://www.apl150.org/sites/apl150.org/files/pagefiles/SiteEvaluationCriteria.pdf>

### **Other Related Documents**

Comprehensive Plan 2010-2030

<http://www.appleton.org/government/planning/city-of-appleton-comprehensive-plan-2010-2030>

Downtown Parking Study

<http://www.appleton.org/home/showdocument?id=12044>

Mobility Study – Full Version

<http://www.appleton.org/home/showdocument?id=11020>

Mobility Study – Summary

<http://www.appleton.org/home/showdocument?id=11016>

Appleton Economic Development Strategic Plan

<http://www.appleton.org/home/showdocument?id=12046>

Downtown Appleton Business Improvement District (BID) Operational Plan

<http://www.appleton.org/home/showdocument?id=16869>

TIF #12 Tax Incremental Financing District  
<http://www.appleton.org/home/showdocument?id=14737>

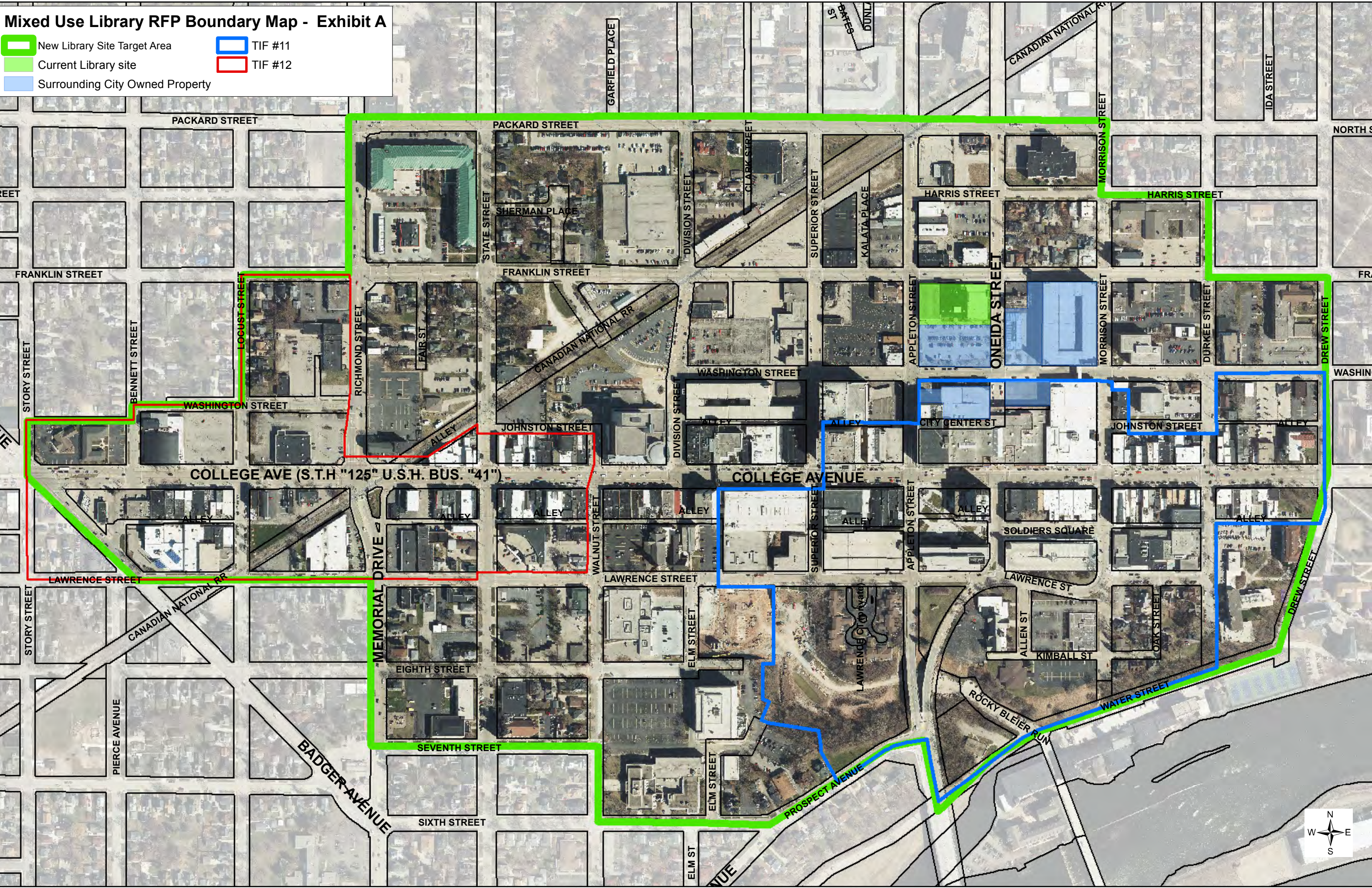
TIF #11 Tax Incremental Financing District  
<http://www.appleton.org/home/showdocument?id=14731>

Trails Master Plan  
<http://www.appleton.org/home/showdocument?id=16871>

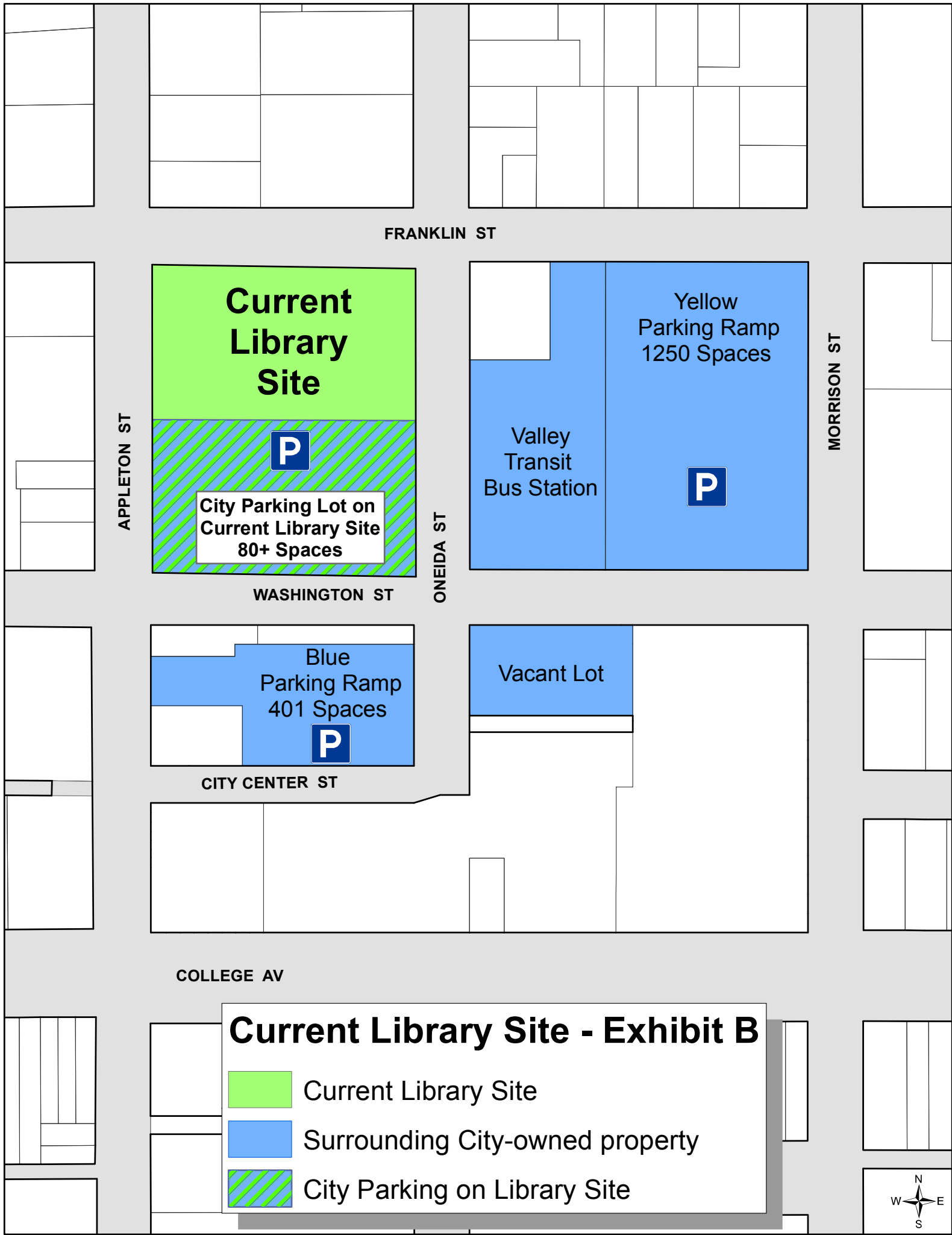


Mixed Use Library RFP Boundary Map - Exhibit A

- New Library Site Target Area
- Current Library site
- Surrounding City Owned Property
- TIF #11
- TIF #12







**EXHIBIT C**  
**CITY OF APPLETON**  
**PROFESSIONAL SERVICES INSURANCE REQUIREMENTS**

The Contractor shall not commence work on contract until proof of insurance required has been provided to the applicable department before the contract or purchase order is considered for approval by the City of Appleton.

It is hereby agreed and understood that the insurance required by the City of Appleton is primary coverage and that any insurance or self insurance maintained by the City of Appleton, its officers, council members, agents, employees or authorized volunteers will not contribute to a loss. All insurance shall be in full force prior to commencing work and remain in force until the entire job is completed and the length of time that is specified, if any, in the contract or listed below whichever is longer.

**1. PROFESSIONAL LIABILITY**

- A. Limits
  - (1) \$1,000,000 each claim
  - (2) \$1,000,000 annual aggregate
- B. Must continue coverage for 2 years after final acceptance for service/job

**2. GENERAL LIABILITY COVERAGE**

- A. Commercial General Liability
  - (1) \$1,000,000 each occurrence limit
  - (2) \$1,000,000 personal liability and advertising injury
  - (3) \$2,000,000 general aggregate
  - (4) \$2,000,000 products – completed operations aggregate
- B. Claims made form of coverage is not acceptable.
- C. Insurance must include:
  - (1) Premises and Operations Liability
  - (2) Contractual Liability
  - (3) Personal Injury
  - (4) Explosion, collapse and underground coverage
  - (5) Products/Completed Operations must be carried for 2 years after acceptance of completed work
  - (6) The general aggregate must apply separately to this project/location

**3. BUSINESS AUTOMOBILE COVERAGE**

- A. \$1,000,000 combined single limit for Bodily Injury and Property Damage each accident
- B. Must cover liability for Symbol #1 - "Any Auto" – including Owned, Non-Owned and Hired Automobile Liability.

4. **WORKERS COMPENSATION AND EMPLOYERS LIABILITY** – “If” required by Wisconsin State Statute or any Workers Compensation Statutes of a different state.

- A. Must carry coverage for Statutory Workers Compensation and an Employers Liability limit of:
- (1) \$100,000 Each Accident
  - (2) \$500,000 Disease Policy Limit
  - (3) \$100,000 Disease – Each Employee

5. **UMBRELLA LIABILITY** - If exposure exists, provide coverage at least as broad as the underlying Commercial General Liability, Watercraft Liability (if required), Automobile Liability and Employers Liability, with a minimum limit of \$5,000,000 each occurrence and \$5,000,000 aggregate, and a maximum self-insured retention of \$10,000.

6. **ADDITIONAL PROVISIONS**

- A. **Primary and Non-Contributory requirement – all insurance must be primary and non-contributory to any insurance or self-insurance carried by City of Appleton.**
- B. Acceptability of Insurers - Insurance is to be placed with insurers who have an *A.M. Best* rating of no less than A- and a Financial Size Category of no less than Class VI, and who are authorized as an admitted insurance company in the state of Wisconsin.
- C. Additional Insured Requirements – The following must be named as **additional insureds** on the General Liability and Business Automobile Liability Policies for liability arising out of project work - City of Appleton, **and its officers, council members, agents, employees and authorized volunteers. On the Commercial General Liability Policy, the additional insured coverage must be ISO form CG 20 10 07 04 and also include Products – Completed Operations equivalent to ISO form CG 20 37 07 04 or their equivalents for a minimum of 2 years after acceptance of work. This does not apply to Workers Compensation Policies.**
- D. Certificates of Insurance acceptable to the City of Appleton shall be submitted prior to commencement of the work to the applicable department. **In addition form CG 20 10 07 04 for ongoing work exposure and form CG 20 37 07 04 for products-completed operations exposure must also be provided or its equivalent.** These certificates shall contain a provision that coverage afforded under the policies will not be canceled or non renewed until at least 30 days’ prior written notice has been given to the City of Appleton.