



REQUEST FOR PROPOSALS

High Falls Parking Garage
240 State Street, Rochester, NY

Parking Garage for Sale
Issued February 27, 2024



*City of Rochester
Department of Neighborhood & Business Development
City Hall, 30 Church Street, Rm. 005-A
Rochester, New York 14614*

CITY OF ROCHESTER

REQUEST FOR PROPOSALS

High Falls Parking Garage
240 State Street, Rochester, NY

ISSUED: February 27, 2024

ISSUED FOR: High Falls Parking Garage
240 State Street, Rochester, NY

ISSUED BY: City of Rochester
Department of Neighborhood & Business Development
City Hall, Rm. 005-A
30 Church Street
Rochester, NY 14614

**SUBMISSION
DEADLINE:** 4:00PM, Monday, April 15, 2024

**Pre-Proposal
Meeting:** 12:00 PM, Friday, March 1, 2024 (via Zoom)
Registration is required; please use this link:
https://cityofrochester.zoom.us/webinar/register/WN_wJ9Y6utQliPcD-WEjQwYg

CONTACT: A. DaSilva Tella
Email: RFP-Development@CityofRochester.Gov

City of Rochester, NY
REQUEST FOR PROPOSALS
Parking Garage for Sale
High Falls Parking Garage

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EXHIBITS

(posted separately on RFP website)

- A.** Submission Cover Sheet and Proposal Checklist - Required for RFP Submission
- B.** State and City Requirements for Condition Assessment of Parking Garages
Parking Garage Evaluation & Repair Program Documents:
- C.** Garage Inspection Report, October 2021
- D.** Five-year Estimate for Capital Improvements, October 2021
- E.** List of completed repair projects, October 2021; (project plans are available upon request)
- F.** List of Project Warranties, 2021 [Transfer of warranties is subject to manufacturer's terms and conditions]
- G.** Record Drawings, 1992
Agreements/Leases/Easements:
- H.** Commitment of 100 Spaces to Owners of 298 & 300 State Street
- I.** Parking Agreement with Stantec Consulting Services, Inc., May 15, 2009
- J.** Parking Permit Agreement with WXXI Public Broadcasting Council, April 2, 1996

REQUEST FOR PROPOSALS
Purchase of High Falls Parking Garage
Rochester, New York

PART 1: PURPOSE:

The City of Rochester is seeking proposals from qualified parties interested in purchasing the High Falls Parking Garage located at 240 State Street, Rochester, New York.

The High Falls Parking Garage (hereinafter referred to as the “Property” or the “Garage”) consists of a seven-story (incl. rooftop) parking structure of 750 parking spaces and commercial space on the ground floor. The Garage is situated on a 1.16-acre parcel located downtown.

The objectives of this Request for Proposals (RFP) are to:

- Provide satisfactory revenue to the City from the sale of the property;
- Continue provision of public parking for employees and customers of businesses, as well as residents and visitors; and,
- Add the property to the City’s tax base.

PART 2: SCHEDULE

A. Request For Proposals Informational Meeting (Virtual):

City staff will be available to clarify requirements and respond to questions on:

DATE: March 1, 2024

TIME: 12 PM (EST)

Place: Virtual; Zoom meeting registration is required. Use this link to register:

https://cityofrochester.zoom.us/webinar/register/WN_wJ9Y6utQliPcD-WEjQwYg

B. Proposal Submission Deadline:

Three (3) copies and a thumb drive with a digital copy of the proposal must be received by **4:00 p.m. on Monday, April 15, 2024**, at the address below. Please include a completed *Submission Cover Sheet and Proposal Checklist* (Attachment A) with your proposal to:

City of Rochester
NBD Bureau of Business & Housing Development
30 Church Street, Room 005-A,
Rochester, NY 14614
ATTN: A DaSilva Tella

C. Project Timeline for Selection:

The following is the planned schedule for the selection process. This schedule may change at any time as determined by the City:

- a. Release of RFP ----- 2/27/2024
- b. Pre-proposal meeting via Zoom, 12 Noon ----- 3/1/2024
- c. Questions deadline by 5 PM ----- 3/7/2024
- d. Answers posted to RFP Website ----- 3/18/2024
- e. Submission deadline by 4 PM EST ----- 4/15/2024
- f. City review of proposals ----- Four weeks
- g. Prioritization of selected proposal ----- May 2024
- h. Period of exclusive negotiation ----- up to 6 months
- i. City Council authorization approving sale

Questions regarding this opportunity should be emailed directly to the City at this email address: RFP-Development@CityofRochester.Gov.

PART 3: HIGH FALLS PARKING GARAGE – OVERVIEW

The Property is owned by the City of Rochester. It is located downtown, in the historic High Falls district near the Genesee River and is within close proximity to several commercial/office uses such as WXXI, Stantec Consulting Services, Labella Associates, Innovative Field, Kodak HQ, City Hall, and Monroe Community College. The seven-level, 750-parking space Garage also includes approximately 2,200 sf of ground floor commercial space on Commercial Street and 2,000 sf of ground floor commercial space on State Street. The Garage will be sold in fee simple.

Three existing parking agreements have been identified for this garage, and they include a commitment of 100 spaces to the owners of 298 & 300 State Street, a parking agreement with Stantec Consulting Services, and a parking permit agreement with WXXI Public Broadcasting Council. Copies of these agreements/commitments are available for inspection on the RFP website. Prospective respondents are urged to review the documents in their entirety. All parking revenues shall be payable to the Purchaser of the Garage. There are also two public utility easements.

Title to the Garage will be subject to any existing easements, parking agreements, leases, and other agreements. Without prejudice to the City of Rochester, after a good faith and diligent search, the City of Rochester believes the attached easements and agreements are the sum of available easements and agreements. A full title search will be required.

Notes:

1. The Purchaser shall maintain the existing parking fee rates **through fiscal year 2025-26 (ending June 30, 2026)**, with the exception that if the City raises its rates on other garages, Purchaser may do so at the same dollar amount of rate change. Thereafter parking rates may be increased to reflect periodic adjustments for inflation and to offset the Purchaser's capital costs of garage rehabilitation and renovation projects.
2. There are currently two existing tenants utilizing the ground floor commercial space. The City is working on a long-term solution to relocate them before transferring ownership of the Garage but the City will pursue negotiating a short-term lease with terms and conditions that are mutually

acceptable to the City and the Purchaser if an alternative location is not finalized by the closing date.

3. It is important that access to public parking is maintained for the proposed development of a new High Falls State Park. As such, as a condition of sale, public parking must be maintained in perpetuity for the proposed New York State park at High Falls.
4. There is one group account with special rates for employees of the City of Rochester. It is at the discretion of the Purchaser whether to continue this arrangement.

PART 4: PROPERTY DESCRIPTION

Address:	240 State Street
Tax Map ID:	106.78-1-10.002
General:	Parking garage
Number of Spaces:	750 spaces, including 16 handicapped spaces, 2 bike lockers, and 8 EV charging stations
No. of Stories:	7 levels, including rooftop parking
Commercial Space:	Approx. 2,200 sf on Commercial Street & 2,000 sf on State Street
Date Built:	Circa 1993
Square Footage:	297,000± sq. ft.
Foundation:	Slab
Frame:	Reinforced concrete
Overhead Clearance:	9'6" (ground level); 7'0" (all upper levels)
Electrical:	3-phase
Elevator(s):	Two (2): Otis Gen2 traction elevators
Fire Safety:	Sprinklered
Vehicle Entrances/Exits:	Two (2) Entrances / Two (2) Exits
Pedestrian Exits:	Seven (7)
Site Size:	1.16± acres
Frontage:	702.13'
Zoning:	CCD-R - Center City District - Riverfront
Utilities:	All public
Access:	State Street and Mill Street

Note(s):

The City advises the respondent to conduct its own investigation to determine the physical and/or environmental condition of the Property. The City will assign the remaining life of all warranties to the extent permitted by the construction contracts for any repairs or installations.

See Table of Contents for parking garage evaluation and repair program documents available on the RFP webpage.

The Property will be sold "as is." The City will not be responsible for any repairs or improvements after conveyance of the Property and will make no environmental or physical condition representations or indemnities upon conveyance of the Property. It will be the successful Purchaser's responsibility to obtain all municipal operating and occupancy permits. Any third-party evaluations or engineering studies will be at the respondent's expense.

Respondents must review and thoroughly understand the entire set of parking, easements, and building lease and any other agreements provided as exhibits to this RFP.

Without prejudice to the City of Rochester, after a good faith and diligent search, the City of Rochester believes the attached documents are the sum of available documents, without the benefit of a full title search which has not been conducted.

Title to the Garage will be subject to the existing parking, easements, and building lease agreements, if applicable.

It is important that access to public parking is maintained for the proposed development of a new High Falls State Park. As such, as a condition of sale, public parking must be maintained in perpetuity for the proposed New York State park at High Falls.

PART 5: PROPOSAL SUBMISSION REQUIREMENTS

The minimum set of items that must be submitted for consideration for the purchase of the property is listed below. The City reserves the right to reject any proposal submissions without the minimum items indicated below.

- A. Submission Cover Sheet (see Exhibit on RFP webpage)
- B. Detailed Submission Requirements/Operation Information

1. Summary of Overall Proposal

Narrative and vision statement summarizing the overall proposal for the property, including the need/demand for the proposed uses; the key benefits (public and private) of the proposed use will be required. The proposal shall clearly state in both narrative form and graphics as appropriate, a clear understanding of the needs of the City regarding parking inventories, existing parking agreements, and how the proposed management plan of the facility meets the needs of the City. The management plan must reflect the highest and best use of the property.

2. Experience

Please submit a listing of all currently owned and operated parking facilities, indicating whether each is a surface lot or a multi-level parking structure.

3. Management and Operations Plan, including Maintenance

Respondents shall propose a detailed parking garage management and operations plan.

Parking Garage Maintenance Plan

It is the responsibility of the owner or operator of the garage to have parking garage maintenance performed in accordance with NYS and City building standards and codes, including but not limited to, the following:

- Property maintenance and testing of equipment and systems.
- Periodic condition assessments of parking garages, including preventative maintenance and repairs, in accordance with Part 1203.3 of Title 19 NYS Code Rules and Regulations, and City of Rochester's Parking Garages - Operating Permits Requirements, included in Attachment B of the RFP.

4. Pricing plan

Note: The Purchaser shall maintain the existing parking fee **rates through fiscal year 2025-26 (ending June 30, 2026)**, with the exception that if the City raises its rates on other garages, Purchaser may do so at the same dollar amount of rate change. Thereafter parking rates may be increased to reflect periodic adjustments for inflation and to offset the Purchaser's capital costs of garage rehabilitation and renovation projects.

Please include a pricing plan that includes, at a minimum, the following items:

- Rent per space per month for public parking within the Garage
- Rate per hour and daily maximum rate for public parking in the Garage
- Proposed schedule of any increases to monthly and hourly/daily rates for public parking for the next five (5) years in the Garage
- Proposed use of parking facility during usual business hours
- Proposed use of parking facility during “off-peak,” or overnight hours

5. Purchase Price and Funding

The City will consider proposals with a minimum bid of \$2,000,000 and higher. The respondent shall identify and provide proof of intended funding sources for the purchase of the Garage.

6. Proof of Funding

The proposed financing arrangements should be verified by a letter from the financial source/institution indicating the purchase has been reviewed and the source/institution is willing to favorably consider a loan application to finance the purchase.

7. Real Estate Taxes

Upon conveyance to a privately owned entity, the Garage will become subject to municipal and county ad valorem real estate taxes and assessments. The City expects to assess the Garage at or near the final sales price of the Garage and will impose real estate taxes accordingly. The City will not entertain requests for special tax abatements and will not consent to special tax abatements proposed by other taxing jurisdictions. The City shall prohibit the transfer of ownership of the Garage to a not-for-profit entity for a period of ten (10) years after closing.

8. Issues and Concerns

The proposal should identify any issues or concerns in relation to the facility.

PART 6: EVALUATION CRITERIA

An evaluation team will be formed with members appointed from various City departments. Proposals will be evaluated using the following criteria:

1. Management and Operation Plan, including Maintenance

- Management and operation plan, including Maintenance
- Experience of the purchaser in operating and managing parking operations of similar size and scope
- Pricing plan, parking rate schedule
- Strength and compatibility with City's needs of use of the garage/best use.

2. Financing Plan

- Price offered to the City
- Strength of the financing plan based on specific details in a proposal letter from a financial institution. Information that will be evaluated shall include, but is not limited to:
 - Level of purchaser cash equity into the project and proof of such equity by the purchaser.
 - Terms and conditions of the financing, which includes a marketing plan.
 - Contingencies.

3. Project Readiness

- Expediency of the ability to assume ongoing parking operations.
- Reasonableness of contingencies.
- Issues and concerns that will affect project success.

Upon initial review of the submitted proposals, the evaluation team may choose to establish a “short list” for subsequent interviews and requirement to submit more detailed information related to the financial condition of the respondents (company financial statements, personal financial statements, global real estate report, etc.). Any additional financial information provided will be confidential and not subject to the Freedom of Information Law. All RFP respondents will be notified if and when a short list is established. The City reserves the right to accept or reject any and all submissions.

If a proposal is selected by the evaluation team, a recommendation will be submitted to City Council for final selection authorization.

PART 7: PURCHASER SELECTION

No proposal shall be deemed accepted until: 1) authorization of the sale/transfer of the Garage by the Rochester City Council; and, 2) execution of a purchase and sale agreement between the City and the Lessee.

PART 8: OFFER TO NEGOTIATE AND REQUEST REFINED PROPOSALS

The respondent selected for consideration under this RFP will enter into a period of exclusive negotiations with the City of Rochester for a period of time. If the City and the respondent are able to reach an agreement on the terms (purchase price, financing plan, and schedule), the City will move forward with the public and legal processes to sell the Garage. If the City and the Respondent are unable to reach an agreement, either party may withdraw from the project with no liabilities. The City may open discussion with other respondents at that time.

The City may request any additional information as it determines appropriate to select respondents whose proposals are best suited to this project. All respondents are responsible for the cost of preparing all information in response to this RFP and any additional information as requested by the City.

PART 9: GENERAL INFORMATION

Restriction on Communication

News releases pertaining to this RFP or the services to which it is related will not be issued by an offeror/bidder/proposer or the selected offeror/bidder/proposer without the prior written approval of the City. In the event an offeror/bidder/proposer issues a news release pertaining to this RFP or the

purposes to which it relates without the prior approval of the City, the offeror/bidder/proposer may be excluded from consideration.

Rights Reserved

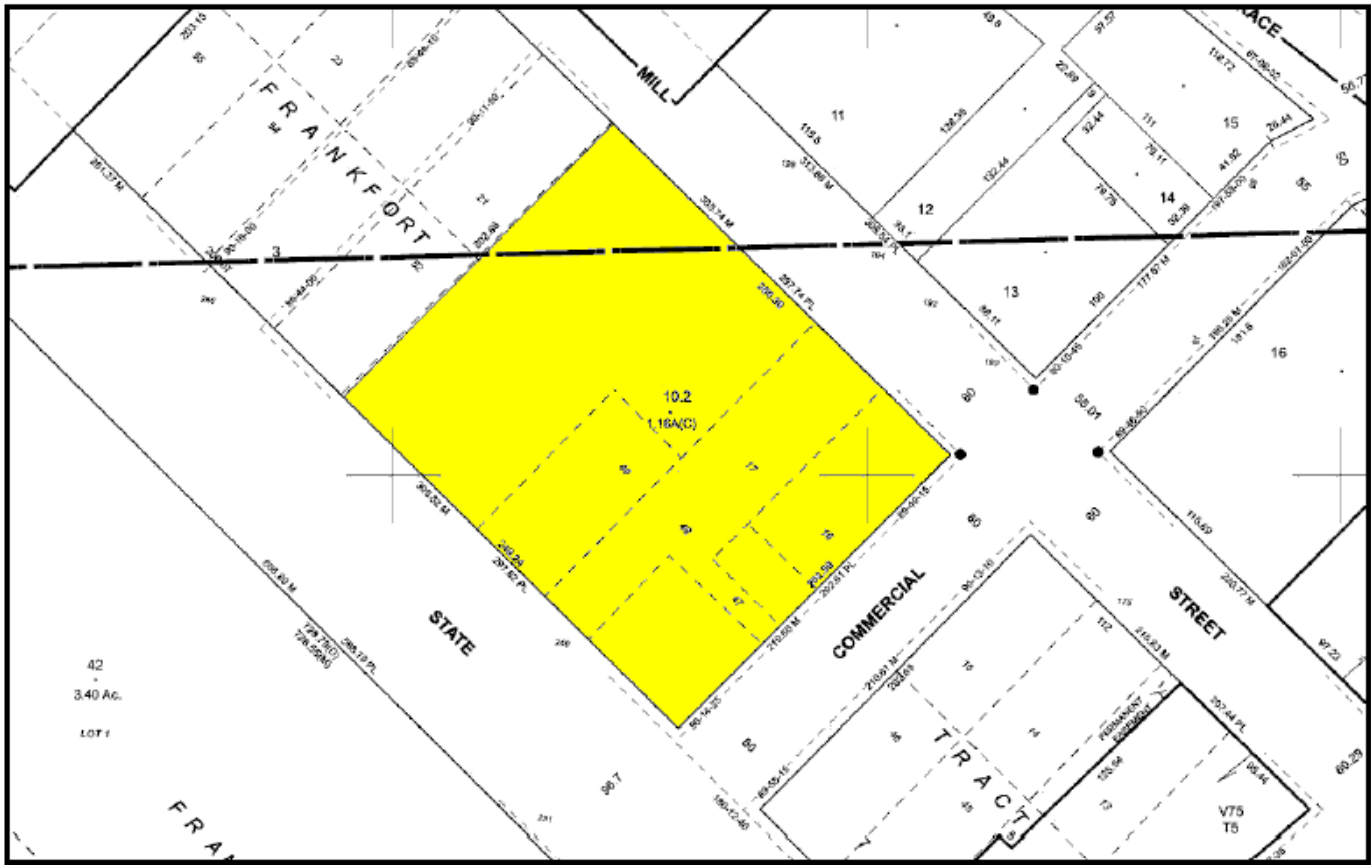
- A. Only submissions that comply with all the objectives, provisions and requirements of this Request for Proposals (RFP) will be considered for review by the City of Rochester (City).
- B. The City reserves the right to independently investigate or request clarification of the contents of any proposal, including requesting that any prospective purchaser provide additional information, or make a presentation before the final selection is made.
- C. All materials submitted in response to this RFP become the property of the City, without obligation of the City to return such materials.
- D. All determinations of completeness of any submission and compliance with the objectives, provisions and requirements of this RFP, and the eligibility or qualification of any developer, shall be at the sole and absolute discretion of the City.
- E. Subsequent to the submission of the proposals, the City, in its sole and absolute discretion, may enter into parallel negotiations with two or more respondents, may designate two or more respondents for “short list” consideration, may request best and final offers and/or may conduct competitive proceedings with respect to the potential disposition of the property described in this RFP. This is not a competitive process; the City will assess proposals and select respondents in its sole and absolute discretion.
- F. The City of Rochester may waive any of the provisions, requirements, terms, and conditions of this RFP.
- G. The City reserves the right to cancel or reissue the RFP at its sole discretion and that the City shall have no liability for any costs incurred in preparing a proposal.
- H. The City reserves the right to issue an addendum should it become necessary to revise any section of this RFP, provide additional information necessary to adequately interpret provisions and requirements of this RFP, or respond to written inquiries concerning the RFP.
- I. The City reserves the right at its sole discretion to accept or reject any and all proposals received as a result of this RFP, to waive minor irregularities, to withdraw from the sale of the property, to elect not to proceed with the process set forth in this RFP, and to conduct discussions with all responsible respondents, in any manner necessary, to serve the best interest of the City of Rochester.
- J. The City has no obligation to discuss its reasons for selecting, accepting or rejecting any proposals with any proposers or representatives of said proposers.
- K. The City shall not be liable for any costs or expenses (including but not limited to the foregoing costs and expenses of legal counsel) incurred by any proposer in responding to this Request.
- L. All costs and expenses incurred by each proposer in connection with this RFP will be borne by the proposer, including without limiting the foregoing, all costs and expenses in connection with: surveys, reports, plans, designs, schematics, studies, research and any other due diligence work; preparation of each proposal; advice and representation of legal counsel responding to this RFP.

- M. The City reserves the right to withdraw from, or lease any or all of the properties for which the City has made a public request for Proposals at any time prior to approval by Rochester City Council.
- N. Proposals shall be accepted from principals only. No brokerage fees, finder's fees, commissions or other compensation will be payable by the City in connection with selection of a developer.
- O. Should it become necessary to review any part of this RFP, provide additional information necessary to adequately interpret provisions and requirements of this RFP, or respond to written inquiries concerning this RFP, the City reserves the right to issue Addenda to the RFP and post it to the City website (<http://www.cityofrochester.gov>) – it is the responsibility of all interested parties to regularly check the City website for any Addenda. The City reserves the right to extend the Submission Deadline by a reasonable time.

The City of Rochester has the right in its sole and absolute discretion to reject any and all proposals, to accept any proposal and to elect not to proceed with the process set forth in this Request for Proposals.

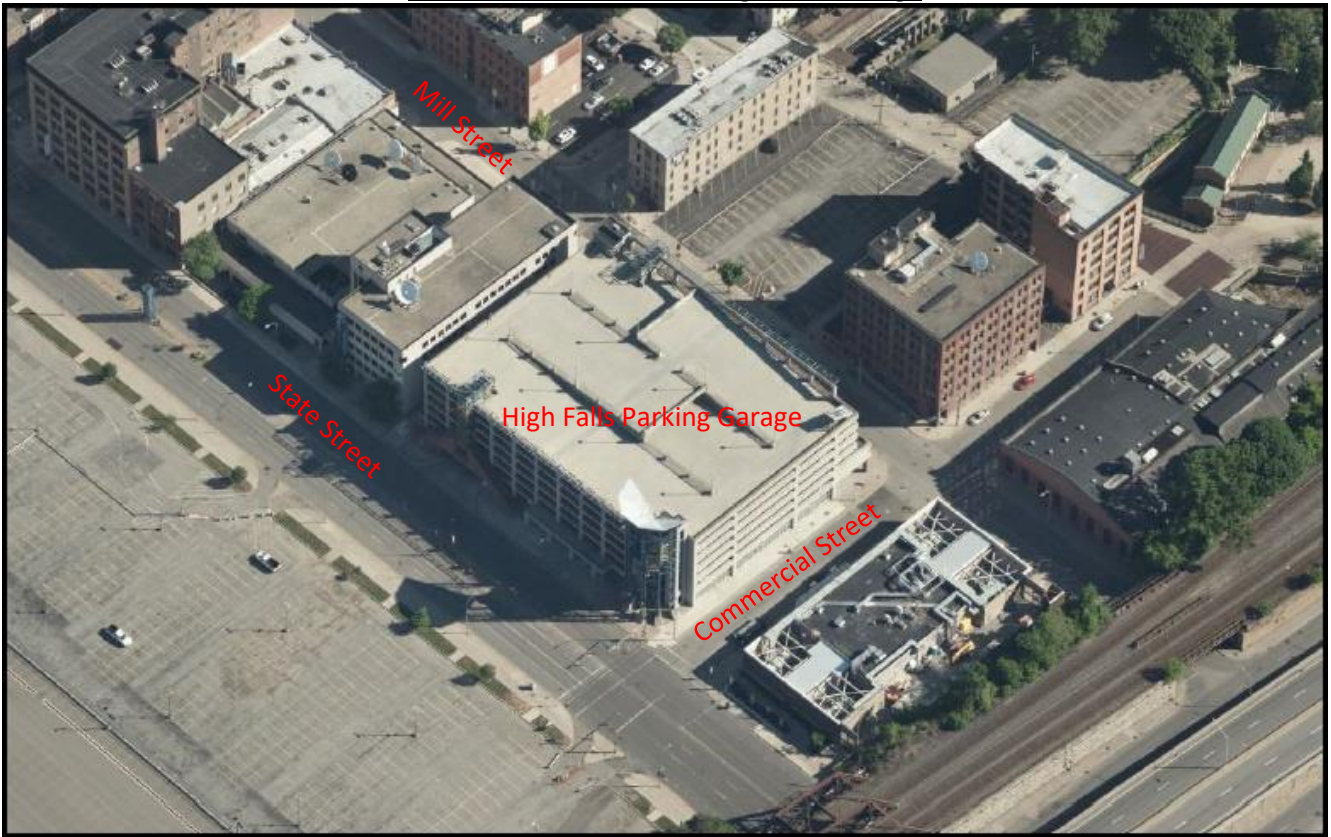
PART 10: TAX PARCEL MAP AND VIEWS

Tax Map



240 State Street; SBL No. 106.78-1-10.002

Overhead Aerial View of High Falls Garage



High Falls Garage State Street Entrance



Submission Cover Sheet and Proposal Checklist

Please fill out and submit the following Cover Sheet and Checklist with your proposal

Garage for Which this Proposal Was Prepared	
Bid Price Being Offered for Garage	

Respondent's Contact Information:	
Individual Name of Respondent	
Name of Company	
Street Address of Company	
City, State & Zip	
Mailing Address if different from Street Address (above)	
Contact Person (Name, Title)	
Telephone Number	
Email Address	
Federal Taxpayer ID Number	

Submission Checklist:	Yes	N/A
Transmittal letter with contact information <u>and</u> Attachment A		
Summary of overall proposal, including project vision		
Experience – current parking facilities owned/operated		
Management and Operation Plan, including Maintenance Plan		
Pricing Plan – Rates and rate schedules and a marketing plan		
Purchase price and evidence of funding sources (both equity and any financing)		
Proof of Funding, including letter from financial source/institution		
Issues and concerns		

Include this coversheet and checklist with your submission – no exceptions