



INVITATION TO BID No. SPLP 114

**Sale of 30,246± Square Feet of
Excess Land and Improvements
One Franklin Square
Providence, Rhode Island**



The State of Rhode Island, acting through the Department of Administration's Division of Purchasing, invites bids from the general public for the sale of real property deemed excess by the Department of Transportation. The property comprises approximately 30,246 square feet of land and improvements at One Franklin Square, Providence, Rhode Island. A more detailed property description and instructions to bidders are contained in the attached prospectus.

Thank you for your interest in this parcel.

Jerome Williams, Director
Department of Transportation

Part 1

Description of Parcel Characteristics and Special Conditions

Overview

The State of Rhode Island, acting through the Department of Administration's Division of Purchasing, offers for sale approximately 30,246 square feet of excess land and improvements at One Franklin Square, Providence, Rhode Island. The subject property comprises portions of those parcels formerly identified in the City of Providence's Tax Assessor's Records as Plat 22, Lots 268 and 269. The State will retain a permanent easement as corridor protection for future bridge construction and maintenance. Maps of the property to be conveyed and its environs are attached as Exhibit A.

- **Size, Shape and Site**

The subject property consists of a contiguous parcel of land located on the east side of Allens Avenue between Globe Street to the north and Crary Street to the south. This section of Allens Avenue is known as Franklin Square and makes up the intersection of Eddy Street and Allens Avenue in Providence. The subject property is situated in a zone designated Heavy Industrial "M-2" district.

The property is generally rectangular in shape and contains approximately 30,240 square feet of land area. It has 165 feet of frontage along the easterly side of Allens Avenue and approximately 220 feet of frontage along Globe Street (northward) and Crary Street (southward). The property is comparable in size when compared to similarly zoned parcels in the neighborhood. There is approximately 25,000 square feet of average condition asphalt pavement on site with accommodation for parking approximately 70 cars. The property is generally level and at street grade. Surface drainage is adequate.

- **Improvements**

The property is improved with a 14,640 square foot mixed-use building. The basic structural system is wood frame and brick. The exterior walls are brick and the roof system is wood rafters and decks with tar and gravel covering. The windows are metal-framed, double paned and tinted. The improvement was built circa 1930 and renovated into its current configuration circa 1986. The building is of average quality and is good overall condition. An abbreviated description of the interior and exterior of the structure is presented below:

Exterior:

Foundation:	Concrete slab
Basic Structural System:	Wood frame and brick
Exterior Walls:	Brick
Roof Covering:	Tar and gravel

Number of Stories:	2.3
Ceiling Height:	12 feet
Gross Building Area:	14,640 square feet
Net Leasable Building Area:	13,640 square feet

Interior:

The interior layout consists of a common entrance that accesses the office areas on the second floor via elevator or stairs. The upper level consists of two office areas. The smaller of the two units contains approximately 2,500 square feet. The layout consists of a reception area, private offices, conference room and kitchen. It is finished with good quality commercial carpet or tile floors, drywall or exposed brick walls and exposed wood ceilings.

The larger office unit contains approximately 5,200 square feet throughout the second and third levels. This space is finished with average condition carpet, drywall or exposed brick walls, and exposed wood ceilings.

Both units are currently occupied by the Rhode Island Department of Transportation (RIDOT) but will be vacated upon the sale of the property.

The first floor is finished as a restaurant/nightclub. The layout consists of a front bar area near the entrance, a large interior area with two bars and a dance floor, and various rooms along the perimeter of the main room. There is a commercial kitchen, two bathrooms, and an outdoor bar area. The nightclub contains 5,339 square feet of area and is finished in granite or tile floors, drywall walls, and plaster or suspended ceilings.

The current tenant occupies the premises on a month-to-month basis at \$7,000 per month (not including utilities).

An abbreviated description of the interior of the building is as follows:

Floor Finishes:	Carpet, granite or tile
Walls:	Drywall or exposed brick
Ceilings:	Exposed wood deck, suspended panels, or plaster
Lighting:	Recessed or hanging florescent
Heating System:	
Type:	HVAC
Fuel:	Gas
Air Conditioning	HVAC
Hot Water:	Gas
Electricity:	Individually metered, adequate
Elevator:	1 Otis passenger elevator: 2,500 lbs. Capacity

Summary

The subject improvements consist of an average quality Class “C” mixed-use building which were built circa 1930 and renovated circa 1986. They have an effective age of 15 years. There are four lavatories in the building. The building is in good condition with no signs of deferred maintenance.

- **Zoning**

According to the official zoning maps for the City of Providence, the subject property is located in a zone designated Heavy Industrial “M-2” district. The zone is intended to provide areas for heavy industrial uses, especially for those uses that are potentially hazardous, noxious or incompatible with the uses in any other zone.

Some of the uses permitted by right are presented as follows:

- Day Care Center, more than 12 people
- Transient Amusement
- Adult Entertainment, provided such uses are located more than 200 feet from an R Zone
- Finance, Insurance, and Real Estate Services
- Personal Service
- Limited Business Service
- General Business Service
- Repair Service
- Professional Service
- Animal Hospital
- Contract Construction Service
- Heavy Contract Construction Service
- Wholesale Trade within Enclosed Structure
- General Warehouse
- Wholesale Trade and Outdoor Storage
- Bulk Storage of Petroleum Products greater than 10,000 gallons
- Retail Sale of Petroleum Products 10,000 gallons or less
- Retail Trade Building and Related Material 2,500 GFA or Less
- Retail Trade Building and Related Material 2,500 GFA or More
- Retail Trade Neighborhood Establishments 2,500 GFA or Less
- Eating and/or Drinking Establishments excluding Entertainment, less than 2,500 square feet GFA
- Drive-In Establishment
- Retail Trade – Automotive, Marine Craft, Aircraft, and Accessories
- Transportation Center
- Good Products Manufacturing
- Canning and Preserving of Fish
- Textile Mill Products and Apparel Manufacturing
- Lumber, Wood, and Paper Products

- Chemicals and Allied Products
- Petroleum Products and Related Industries
- Materials Processing, Distribution, and Storage
- Jewelry, Silverware, Plated Ware, Costume Jewelry, and Notions Manufacturing

Applicable dimensional regulations are as follows:

- Minimum lot area: None
- Minimum lot width: None
- Minimum front yard: None
- Minimum side yard: None
- Minimum rear yard: None
- Maximum building height: 90 feet
- Lot coverage: None
- Parking requirement (current use): 1/500 SF of GBA for office use which translates to 15 parking spaces and 1 per 4 seats or people accommodated (which ever is greater) for the restaurant use. The legal capacity for the nightclub is 234 persons according to the Providence Fire Marshall’s Office, which translates to 59 parking spaces for the restaurant use. Therefore, the total required parking spaces for the subject improvements, as currently configured, is 74 spaces.

Utilities

All utilities and town services are available in sufficient quantity. Private sanitation service provides garbage collection.

Flood Hazard Zone

The subject property is located partially in a Zone “C” flood hazard area and partially in Zone A12. Zone “C” classified areas are not susceptible to flooding. Zone A12 classified areas are areas of potential flooding.

Location and Neighborhood

The subject property is located on the easterly side of Allens Avenue at the intersection of Globe Street, Crary Street, and Eddy Street, which makes up Franklin Square. It is situated between Franklin Square to the west and the Providence Harbor and the Fox Point Hurricane Barrier to the east. The subject neighborhood is defined as the commercial corridor of Allens Avenue from Thurbers Avenue to the south to Point Street to the north. Property uses near the subject property are primarily industrial with some retail, office, and institutional uses interspersed.

The predominant land use to the east of Allens Avenue is the Narragansett Electric Power Plant. This property abuts the subject to the east and north and occupies most of the land area from Globe Street to the Point Street Bridge. The other major land use in close proximity to the subject is the Port of Providence. This area is developed with petroleum storage tanks and related heavy marine uses. Most of the remaining uses in the subject

neighborhood are industrial buildings along the west side of Allens Avenue, some of which have been converted to mixed use office, sales, and service properties. Land use to the west of Interstate Route 95 along Eddy Street is dominated by Rhode Island Hospital and Women and Infants Hospital. The subject property has an average degree of compatibility with the surrounding land uses in the neighborhood.

Allens Avenue is a paved, four-lane, undivided, state-maintained roadway. The most recent RIDOT Traffic Flow Maps indicate approximately 21,000 daily passenger vehicle trips.

The neighborhood characteristics are:

Industrial:	60%
Office:	10%
Retail/Service:	20%
Other:	<u>10%</u>
Total	100%

Summary

The neighborhood is densely developed with a mix of industrial, office, retail/service, and institutional uses. Exposure to Allens Avenue traffic is good. Demand and rental rates for commercial space in the neighborhood have continued to increase over the past few years. All city services and utilities, including water, sewer, electricity, natural gas, telephone, police and fire protection, and garbage collection are available and in use throughout the neighborhood. The neighborhood would have an average level of appeal to a variety of commercial users.

Conclusion

The use of the subject property as a mixed-use office and restaurant/nightclub property is a legal, non-conforming use. The eating and drinking establishment with entertainment portion of the property is not permitted under the M-2 zone. The improvements conform to the physical requirements of the current zoning. The subject has approximately 60 parking spaces on lot 269 and an additional 18 spaces on Lot 268. By using both lots to support the existing improvements, the property conforms to the parking requirement. If only the primary site (lot 269) is utilized to support the improvements, the subject would not conform to the parking requirement.

Special Conditions

1. The subject property will be sold “as is” by quit claim deed. No warranty deed will be offered by the State. Any /all sales of excess property are subject to the final approval of the State Properties Committee. The selected bidder will be responsible for the cost and preparation of a conveyance plat map in accordance with RIDOT Standards and a metes and bounds description describing the subject property.
2. The State will pay no broker’s fee, finder’s fee, commission, or other compensation to any party claiming to counsel or represent any proposer regarding the sale of the subject property or consummation of the lease hereinafter described.
3. No representations will or have been made by the State that the subject property meets local, State or Federal ordinances, regulations or laws governing development of property commercially, industrially, or otherwise.
4. All accepted bids are subject to the pre-emptive rights to the subject parcel’s (re)purchase by its owner(s) at the time of condemnation and the City of Providence pursuant to Title 37, Chapter 7, Sections 3 and 5 of the General Laws of Rhode Island, 1956, as amended.
5. Any use of the subject property will be in compliance with “Appendix C,” Title VI of the Federal Civil Right Act of 1964, as amended, i.e., without discrimination as to race, color, or national origin.
6. No billboard, sign, or other outdoor advertising devices shall be erected upon the subject property other than those indicting ownership or on-premise advertising and shall be subject to reasonable restrictions with respect to number, size, location, and design by regulation of the RIDOT and/or the Federal Highway Administration and subject to local zoning ordinances.
7. Any public utilities or municipalities having facilities under, over, or through the subject property as of the date of its conveyance to the selected bidder shall have the right and easement to continue to maintain, operate, and renew their facilities within the subject property.
8. The State of Rhode Island will retain a permanent access easement as depicted in Exhibit A consisting of 2,965 square feet for corridor protection and future bridge construction. No permanent structures will be allowed to be built on this easement. The easement can be used for surface parking.

Part II

Instructions to Bidders

- **General**

Sealed bids will be accepted no later than 10:00 A.M. on May 7, 2007.

All bids must be delivered in a sealed envelope and addressed as follows:

Rhode Island Department of Administration
Division of Purchases
One Capitol Hill
Providence RI, 02903

Invitation to Bid SPLP Number 114
One Franklin Square, Providence

- **Inspection**

The property will be available for inspection from 9:00 A.M. to 11:00 A.M. on April 2, 2007.

- **Minimum Bid**

A minimum bid of Two Million Three Hundred Thousand Dollars (\$2,300,000) has been established. In the event that no bids in excess of the minimum are received, the Department reserves the right to entertain lower bids. However, the Department is not obligated in any way to accept bids lower than the aforementioned minimum.

- **Bid Surety and Closing**

The highest bid must be accompanied by the enclosed Offer to Purchase form, duly executed, and a cashier's or certified check in the amount of One Hundred Fifteen Thousand Dollars (\$115,000) made payable to "General Treasurer – State of Rhode Island" as a good faith deposit to be credited towards the final purchase price. This check will be forfeited if the winning bidder fails to execute a Purchase and Sales Agreement with the Department of Transportation within thirty (30) days from the date the winning bidder is notified in writing that their bid was accepted by the State Properties Committee. Should either the former owner or the City of Providence exercise their statutory pre-emptive right to purchase the property, the bidder's deposit check will be promptly returned.

- **Questions and Information**

Any questions or requests for additional information must be submitted in writing by April 16, 2007 and addressed to:

Daniel Clarke
RIDOT – Real Estate Section
Two Capitol Hill
Providence, RI 02903
Fax: 401-222-1212

Responses will be disseminated to all interested parties by April 23, 2007.

OFFER OF PURCHASE

On this date and in accordance with the terms and conditions set forth in the Invitation to Bid Number SPLP 114, the offer to purchase 30,246± square feet of land deemed excess to the Rhode Island Department of Transportation, located at One Franklin Square in the City of Providence, Rhode Island, is as follows:

Amount: _____ Dollars
(\$ _____).

Also, as required by the terms of the offering bid surety in the amount of One Hundred Fifteen Thousand Dollars (\$115,000) in the form of a cashier's or certified check made payable to "State of Rhode Island – General Treasurer" is enclosed.

This offer is made and surety submitted on behalf of:

Name of Individual, Business, or Corporation: _____

Address: _____

City/Town, State: _____

By a duly authorized agent:

Name (print or type): _____

Signature: _____ Date: / / 2007

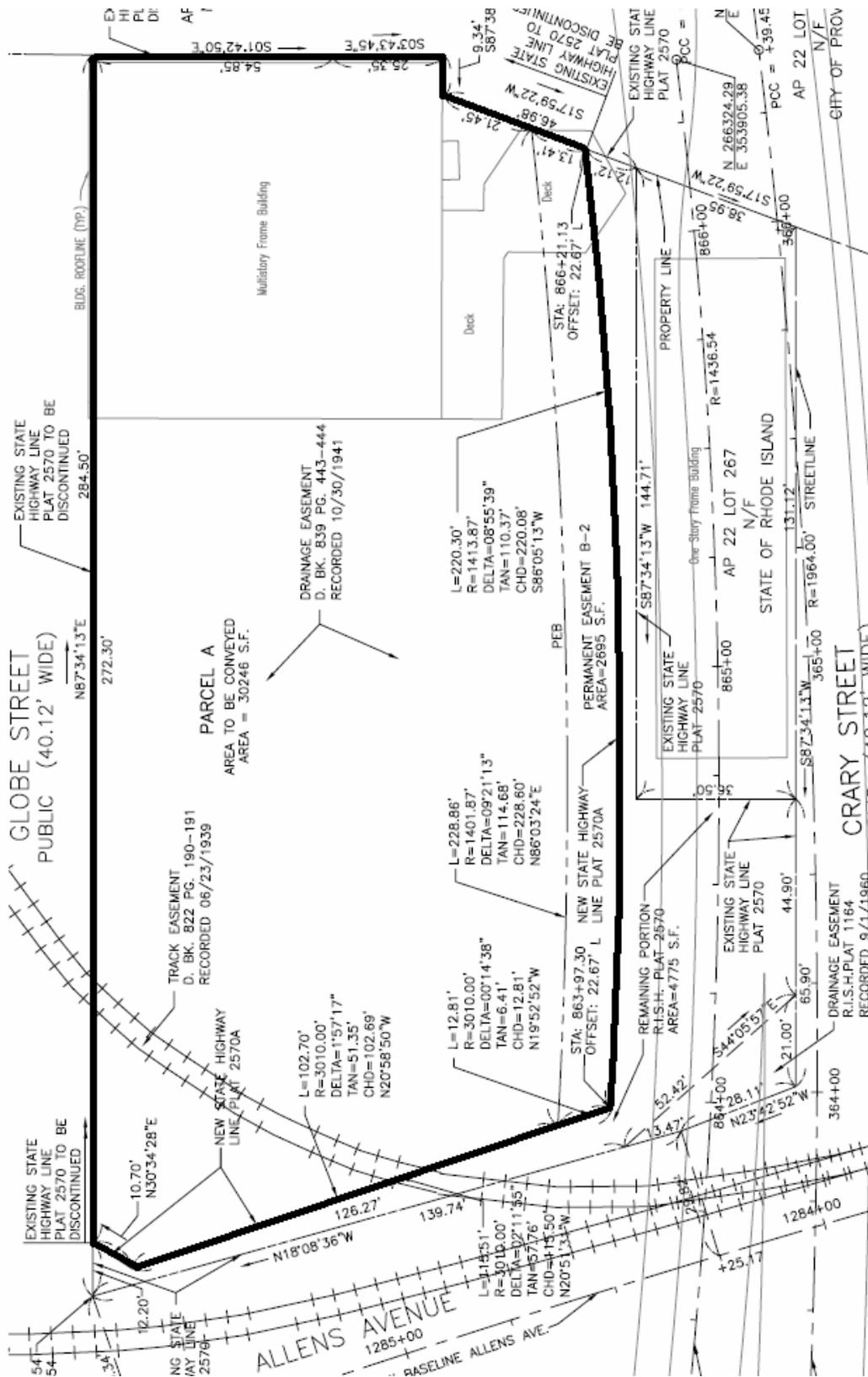
Witnessed:

Name (print or type): _____

Signature: _____ Date: / / 2007

ONE FRANKLIN SQUARE, PROVIDENCE, RHODE ISLAND 02903

State Highway Plat 2570



INVITATION TO BID
BID # SPLP 114
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

The Rhode Island Department of Transportation (RIDOT), acting through the Department of Administration, invites sealed bids for the sale of surplus real estate. The property comprises approximately 30,246 square feet of land and a three story building containing approximately 14,460 square feet and is located at One Franklin Square in Providence, RI

Bid packages can be downloaded from www.statepropertiescommittee.ri.gov/ads.htm or can be obtained by contacting Mr. Daniel Clarke of the Rhode Island Department of Transportation at (401) 222-2411 Extension 4510.

The property will be available for inspection between 9:00 A.M. and 11:00 A.M. on April 2, 2007.

Bids must be received at the following address not later than 10:00 A.M. May 7, 2007, at which time they will be publicly opened.

R.I. Department of Administration
Division of Purchases
One Capitol Hill (Second Floor)
Providence, Rhode Island 02908

The State of Rhode Island, at its sole discretion, reserves the right to reject any and all bids.

Jerome F. Williams
Director
Department of Transportation