



INVITATION TO BID No. SPLP 129

**Sale of 39,000 Square Feet
Excess Land
Route 122 and Hamlet Avenue
Woonsocket, Rhode Island**



The State of Rhode Island, acting through the Department of Administration's Division of Purchases, invites bids from the general public for the sale of real property deemed excess to highway needs by the Department of Transportation. The property comprises approximately 39,000± square feet of vacant, unimproved land at Route 122 and Hamlet Avenue, Woonsocket, 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 F. Williams
Director
Department of Transportation

Part I

Description of Offering, Parcel Characteristics, Special Conditions

Overview

The State of Rhode Island, acting through the Department of Administration's Division of Purchases and the Department of Transportation, offers for sale approximately 39,000 square feet of excess land located at the intersection of Route 122 and Hamlet Avenue, Woonsocket, Rhode Island. The parcel is unimproved, vacant land. The subject parcel is triangular in shape with considerable ledge and a sloping topography. It comprises a part of State Highway Condemnation Plat 1030, Parcel 9. A map of the parcel and its environs is attached as Exhibit A.

- **Size, Shape and Site**

The parcel consists of a 39,000± square foot area. It is triangular in shape and features wooded sloping terrain with a considerable amount of ledge. The parcel is unimproved and vacant land located at the intersection of Route 122 and Hamlet Avenue in Woonsocket, Rhode Island. The tract enjoys 605± linear foot of frontage along Route 122. The land will be conveyed with a 5-foot setback restriction from sidewalk.

- **Zoning**

The property is not a platted lot. The surrounding area is zoned C-1 (commercial use) Urban Commercial District, designated primarily for the conduct of retail trade, administrative and professional services and service to the general public.

- **Flood Zone**

According to the January 6, 1982 Flood Insurance Rate Map (FIRM) published by the National Flood Insurance Program and the Federal Emergency Management Agency (FEMA), the property is located in a Zone "C" flood hazard area. Zone "C" classified areas are *not* susceptible to flooding (Community panel numbers 4454110002B).

- **Utilities**

All utilities and municipal services are available in sufficient quantities and include electricity, sewer, telephone, gas, public water services and trash removal. Police and fire services are full time, non-volunteer.

- **Location & Neighborhood**

Businesses and institutions surrounding the property include Landmark Medical Center and the Woonsocket Medical Center.

Special Conditions

1. A 5-foot setback behind the sidewalk will be retained (see Exhibit A).
2. Access to the parcel from non-abutting properties will be allowed only directly opposite the current intersection of Route 122 and Hamlet Avenue. All costs associated with this access including all signalization, striping, paving and design will be at the sole cost and expense of the selected bidder.
3. A Physical Alteration Permit (PAP) from RIDOT must be obtained by the successful bidder showing the design and engineering particulars of the proposed access and any changes to the property.
4. The property will be sold “as is” by Quit Claim deed. **No warranty deed will be granted by the State.** The property’s sale is 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 and metes and bounds description of the property. The selected bidder will also be responsible for the cost and compliance with all subdivision requirements of the City of Woonsocket. If the selected bidder desires the property’s title examination, all costs and responsibilities therefor will be the selected bidder’s. The property was acquired by the State in October, 1957 under the power of condemnation.
5. The State will pay no broker’s fee, finder’s fee, commission, or other compensation to any party claiming to counsel or represent any bidder regarding the sale of the property.
6. No representations will or have been made by the State that the property meets Local, State or Federal ordinances, regulations or laws governing zoning and/or the development of property commercially, industrially, residentially, or otherwise. All permits, empowerments, permissions and grants necessary for the property’s sale and development are at the selected bidder’s cost and responsibility. Any variances, permission or grants necessary to bring the property into zoning conformance and the expense therefor are the responsibility and the cost of the selected bidder.
7. All bids are subject to the stipulations of this Invitation to Bid and are subject to the pre-emptive rights to the property’s purchase by its owners at the time of condemnation by the State, and the City of Woonsocket, pursuant to Title 37, Chapter 7, Section 3 of the General Laws of Rhode Island, 1956, as amended.
8. Any use of the 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.
9. No billboard, sign, or other outdoor advertising devices shall be erected upon the property other than those indicating 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.

10. Any public utilities or municipalities having facilities under, over, or through the 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 property.
11. The selected bidder will indemnify, save harmless, and defend the RIDOT and the State of Rhode Island from any claim or claims arising from the discovery, uncovering, finding, transportation, storage, and disposal of any oil, hazardous material, hazardous waste, or hazardous substance, as those terms are defined by any applicable law, rule, or regulation, including but without limitation, the "Rhode Island Hazardous Waste Management Act," R.I.G.L. Section 23-19.1-1 et seq., the "Rhode Island Hazardous Substances Act," R.I.G.L. Section 23-24-1, et seq., the "Rhode Island Rules and Regulations for Hazardous Waste Management" (2005), the "Oil Pollution Control Act," R.I.G.L. Section 46-12.5.1-1 et seq., the "Comprehensive Environmental Response, Compensation and Liability Act," as amended, 42 U.S.C. 9601 et seq., and the "Resource Conservation and Recovery Act," as amended, 42 U.S.C. 6901 et seq., on, beneath, above or under the parcel of land herein conveyed attributable to the selected bidder subsequent to the date of this conveyance arising under R.I.G.L. Sections 23-19.1-1 et seq., as amended or otherwise, and R.I.G.L. Section 46-12.5.1-1 et seq., as amended or otherwise.
12. All costs associated with responses to this Invitation to Bid and/or providing written and/or verbal clarification of its contents will be the responsibility of bidder. The State assumes no responsibilities or liabilities for these costs.
13. No environmental analyses of the property have been conducted. The State makes no assertions or warranties regarding the presence, if any, or absence, of asbestos, chemicals, hydrocarbons or other hazardous materials on the property. Bidders may conduct environmental studies of the property at their cost and expense without right of recovery or offset therefor against the State. The State must be provided a copy of all reports and findings resulting from said studies.
14. Execution of a Purchase and Sale Agreement with the State.
15. The selected bidder shall create and maintain a landscaping buffer around the perimeter of the parcel herein conveyed conforming with the zoning requirements of the City of Woonsocket.
16. **No bids to purchase portions or subparts of the property will be accepted by the State. Bidders must offer to purchase the property in its 39,000± square foot entirety.**

Exhibit A

Map

Part II

Instructions to Bidders

Bids must conform to the following requirements and must state the full name and address of the corporation, partnership, entity, or individual applying.

Affidavits and Disclosures

- Bidders must include an Affidavit of Non-Collusion (Form 1) stating that neither the bidders nor their agents, nor any other party for them, has paid or agreed to pay any money or valuable consideration directly or indirectly, to any person, firm, or corporation for assistance in procuring or attempting to procure the bid award herein contemplated.
- Bidders must include an Affidavit of Non-Conviction (Form 2) stating that neither the bidders nor their officers, directors, partners, or any of their employees directly involved in obtaining or performing business with public bodies have been convicted of or have had probation before judgment, or have pleaded nolo contendere to a charge of bribery, attempted bribery, or conspiring to bribe in violation of the General Laws of Rhode Island or the law of any other state or the Federal Government.
- Bidders that are foreign corporations, that is corporations not chartered in Rhode Island, but licensed to do business in Rhode Island, are required to submit with their bid an affidavit duly executed by their president, vice-president, or general manager and stating that the corporation has, in accordance with the provisions of the General Laws of Rhode Island, obtained a certificate authorizing it to do business in Rhode Island. These certificates or certified copies are obtained from the Rhode Island Secretary of State's Office.
- Corporations and partnerships are required to submit with their bid a Certificate of Disclosure of Corporation or Partnership (Forms 3 and 4), listing the name and address of principal officers.

Withdrawal of Bids

No bid will be allowed to be withdrawn after it has been received by the State.

Rejection or Acceptance of Bids

The State reserves the right to unconditionally accept or reject any and all bids. The State likewise reserves the right to impose under the Quit Claim Deed of conveyance any special conditions or restrictions which the State may deem necessary. Any bid that is incomplete, conditional, obscure or which contains additions not called for, or irregularities of any kind, may be rejected by the State.

Unacceptable Bids

No bids will be accepted from, or will any bid be awarded to, any person, entity, firm, or corporation that is in arrears or is in default to the State of Rhode Island upon any debt, tax, or contract, or that is a defaulter, in surety or otherwise, upon any obligation to the State of Rhode Island, or that has failed to perform faithfully any previous contract with the State of Rhode Island. No consideration will be given to bids which are inconsistent with the information required in the attached Bid Form (see Part III).

Explanations Written and Oral

Any addition or deletions to this Invitation to Bid will be made known to all bidders via written addenda. The State will not be responsible for any oral instructions.

Signature of Bidder

All bids must be completed and signed in ink by the bidder or their representative.

Bid Surety

All bids must be accompanied by bid surety in the amount of \$14,000 (Fourteen Thousand Dollars).

Bid surety may be in the form of:

- a. A certified cashier's check made payable to "General Treasurer-State of Rhode Island," **or,**
- b. A bid bond payable to "General Treasurer-State of Rhode Island." Bid bonds must be underwritten by surety companies authorized and licensed to do business in the State of Rhode Island.

The State reserves the right to retain the sureties of all bidders until the selected bidder has received notice of bid award. Thereupon, sureties will be returned to all bidders. All surety companies must be listed with the Department of the Treasury, Fiscal Services, Circular 570, (latest revision published by the Federal Register). The State reserves the right to reject any or all bids and to retain the selected bidder's surety should circumstances not created by the State arise after final bid acceptance affecting completion of the property's sale, or execution of a deed of conveyance or closing thereon. The surety of the selected bidder may be credited to the purchase of the property.

Other Bid Conditions/Requirement

- Bids will be considered to be firm and fixed. The State expects to receive fair market value for the sale of the property. **Bids for the property's purchase must equal or exceed the sum of \$273,000 (Two Hundred Seventy Three Thousand Dollars).**
- Bids misdirected to other locations or which otherwise are not received by the State's Division of Purchases by the stipulated due date (see page 8), for any cause, will be determined to be late and will not be considered. The official time clock for the purpose of registering the receipt of the bids is in the reception area of the Department of Administration's Division of Purchases, One Capitol Hill, Providence, Rhode Island.
- In accordance with Section 7-1.1-99 of the Rhode Island General Laws, 1956, as amended, no foreign corporation has the right to transact business in the State until it has procured a Certificate of Authority to do so from the Office of the Secretary of State (Tel: 401-222-2357). If applicable, a copy of this Certificate of Authority **MUST** be included by bidder with their bid.
- The State is inviting bids pursuant to determining that such a process best serves the interest of the State and the general public and not because of any legal requirement to do

so. The bidder acknowledges that it is the State's right to accept any bid, or number of bids, even if from different bidders; or to unconditionally reject any and all bids; or amend with the consent to the bidder any bid prior to acceptance; or to waive any formality and otherwise effect the State's intent under this Invitation to Bid all as the State in its sole judgment may deem to be in its best interest. The State reserves the unobligated right to interview any and all bidders to fully understand their bid as well as their individual or corporate experience.

The State will not be responsible in any manner for any costs associated with bid submission. The individual bids, including any documents, plans, photos and narrative material shall become the property of the State upon receipt. The State shall have the right to copy, reproduce, publicize, or otherwise dispose of each bid in any manner that it selects. Furthermore, the State shall be free to use or to adopt as its own, without liability for payment or compensation, any idea, scheme, technique, layout, or document received in response to this Invitation to Bid.

Pre-Bid Conference

A pre-bid conference will be held at the following time and location:

Time: 10:00 A.M.

Date: March 7, 2008

Place: At the subject property, Route 122 and Hamlet Avenue, Woonsocket, Rhode Island.

Prospective bidders or their representatives are urged to attend this pre-bid conference. Verbal questions concerning this Invitation to Bid will be considered only at this pre-bid conference. No questions to or contact with State officials regarding this Invitation to Bid except for interviews which may be requested by the Selection Committee (see Part III, Page 10), will be allowed after this pre-bid conference and until bid award. If a question cannot be answered at the pre-bid conference, a written response will be provided to all attendees.

Part III

Bid Form

**Rhode Island Department of Administration
Invitation to Bid for
Sale of 39,000 ± of Excess Land
Route 122 and Hamlet Avenue
Woonsocket, Rhode Island
Bid No: SPLP 129**

Four (4) copies of this Bid Form, signed and completed in ink by the bidder, must be submitted to:

Department of Administration
Division of Purchasing
Second Floor
One Capitol Hill
Providence, Rhode Island 02908

Envelopes transmitting bids must be entitled on the outside: "Bid No. SPLP 129, Sale of 39,000 Excess Land, Route 122 and Hamlet Avenue, Woonsocket, Rhode Island."

The deadline for receipt of bids is 10:00 A.M., E.S.T. March 21 2008, at which time they will be publicly opened and read aloud only.

Bidders must comply with and respond to the following questions:

General Information

Name of Bidder:
Address of Bidder:
Description of Bidder: (Corporation, Partnership, Association, etc.)
E-Mail Number:
Telephone Number:
Fax Number:
Name and address of any other person/parties collaborating in the submission of this bid.

Financial Information

Credit: Please provide bidder's present credit rating information. Specify if other than Dunn & Bradstreet.

Financial: Briefly describe the bidders' financial status. Include bank and/or insurance references. Include a current state of financial condition attested to by a Certified Public Accountant.

Compensation Offered

Please make your bid for the property on the line below. Bids must be for the entire 39,000± square foot parcel as described herein. No bids for portions or subparts of the property will be accepted by the State.

Bids must equal or exceed the sum of \$273,000 (Two Hundred Seventy Three Thousand Dollars).

THE BIDDER HEREBY OFFERS FOR THE PROPERTY THE SUM OF (PRINT OR TYPE IN INK): _____

Dollars.

Evaluation and Selection of Bids

Following the opening of bids on March 21 2008, the State will require a thirty (30) day review period. Each bid will be reviewed and evaluated by a formal Selection Committee. The committee will make a bid award recommendation to the RIDOT Director who will recommend bid award to the State Properties Committee. No bid award will be in force or binding until approved by the State Properties Committee. The Selection Committee may require bidder interviews prior to award. The sole evaluation criterion will be the monetary offering to the State (100%). The State anticipates a bid award on or about April 18, 2008 and a closing sixty (60) days thereafter.

Affidavits

Include with this Bid Form the affidavits and disclosures (attached as Forms 1, 2, 3, and 4) described in the Instructions to Bidders (**Part II**).

Signatures and Acknowledgements

Bidders must also include with this Bid Form the attached Signature Sheet (Form 5), duly witnessed and notarized.

The bidder acknowledges that it has received and read this Invitation to Bid and its attachments, and that the terms thereof are incorporated by reference in this Bid Form. This bid constitutes a firm and fixed offer.

The State is soliciting competitive bids pursuant to determining that such a process best serves the interest of the State and the general public and not because of any legal requirement to do so. The bidder acknowledges that it is the State's right to accept or reject any or all bids, to modify or amend with the consent of the bidder any bid prior to acceptance, to waive any informality and to effect any agreement all as the State in its sole judgment may deem to be in its best interest.

Questions and Information

Questions and request for additional information concerning the Request for Proposal should be directed to:

Eva Bernardo
RIDOT – Real Estate
Two Capitol Hill
Division of Central Services
Providence, Rhode Island 02903
Telephone: (401) 222-2411, Ext. 4504
Fax: (401)-222-3594

AFFIDAVIT OF NON-CONVICTION

I HEREBY AFFIRM THAT:

I am the _____ and the duly authorized representative of _____ and that I possess the legal authority to make this Affidavit on behalf of myself and the business for which I am acting.

I FURTHER AFFIRM THAT: Neither I, nor, to the best of my knowledge, information and belief, the above business as above-described in this bid, or any of its officers, directors, partners, or any of its employees directly involved in obtaining or performing contracts with public bodies, have been convicted of, or has had probation before judgment or has pleaded nolo contendere to a charge of bribery, attempted bribery, or conspiracy to bribe in violation of Rhode Island State Law or the law of any other state or the Federal Government. (Indicate below the reason(s) why affirmation cannot be given and list any conviction, plea or imposition of probation before judgment with the date, court, official or administrative body, sentence or disposition, name(s) of person(s) involved, and their current positions and responsibilities with the business.)

I FURTHER AFFIRM THAT: Neither I, nor to the best of my knowledge, information, and belief, the above business, or any of its officers, directors, partners, or any of its employees directly involved in obtaining or performing contracts with public bodies, has:

- (a) Been convicted under state or federal statute of a criminal offense incident to obtaining, attempting to obtain, or performing a public or private contract, fraud, embezzlement, theft, forgery, falsification or destruction of records, or receiving stolen property;
- (b) Been convicted of any current violation of a state or federal antitrust statute;
- (c) Been convicted under the provisions of Title 18 of the United States Code for violation of the Racketeer Influenced and Corrupt Organization Act, 18 U.S.C. 1961, et seq., or the Mail Fraud Act, 18 U.S.C. 1341, et seq., for acts arising out of the submission of bids for public or private contract;
- (d) Been convicted of conspiracy to commit any act or omission that would constitute grounds for conviction or liability under any law or statute described in subsection (a), (b), (c), or (d) above;

(Form 2)

- (e) Admitted in writing or under oath, during the course of an official investigation or other proceedings, acts or omissions that would constitute grounds for conviction or liability under any law or statute described above, except as follows (indicate reasons why the affirmation cannot be given, and list any conviction, plea, or imposition of probation before judgment with the date, court, official or administrative body, the sentence or disposition, the name(s) of the person(s) involved and their current positions and responsibilities with the business, and the status of any debarment):

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THIS AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Proposer: _____ Signed and sworn before me this _____ day

By: _____ of _____ 2008.

Name: _____
(type or print) Notary Public

Title: _____ My Commission expires _____

Date: _____ Affix seal



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
Department of Administration

STATE PROPERTIES COMMITTEE
One Capitol Hill
Providence, RI 02908

CERTIFICATE OF DISCLOSURE OF CORPORATION

I, _____, Secretary of _____, under oath make affidavit
(state full name of corporation)
and say that the following, the officers and directors of said _____ corporation,
(identify as business, non-business, professional)
having been duly elected and/or appointed to:

President _____
Vice President _____
Treasurer _____
Secretary _____

State of Incorporation _____
Principle Place of Business _____

DIRECTORS

Name Address

STOCKHOLDERS

Name Address

Property under lease to/from the State of Rhode Island covered by this certificate:

Location: _____

State Offices Occupying Property (if any): _____

In witness whereof I have hereunto set my hand and the seal of the said _____,
(hereunto duly authorized) this _____ day of _____ 20__.

By _____, its Secretary.

STATE OF RHODE ISLAND
COUNTY OF _____

Subscribed and sworn to before me at _____ this _____ day of _____ 20__.

Signature Sheet

This Signature Sheet must be completely filled out signed and returned with your proposal.

See sections “a” and “b” below.

Submitted and all terms and conditions of this Invitation to Bid entitled “Bid No. SPLP 129 Sale of 39,000 square feet acres of Excess Land, Route 122 and Hamlet Avenue, Woonsocket, Rhode Island” and all attachments thereto, are hereby acknowledged and agreed to:

- a. If the bidder is a partnership or corporation at least two (2) officers must sign as follows:**

_____ Partnership/Corporation Name and Address (print or type in ink)

Signed By: _____ Its: _____

Signed By: _____ Its: _____

Date: _____

The above signed agree that they are the _____ and _____ of the partnership/corporation named above and that they signed this bid for and on behalf of the above named partnership/corporation and that they are authorized to so sign for and on behalf of said partnership/corporation.

- b. If the bidder is an individual or entity other than a partnership/corporation, the bid must be signed as follows:**

Name: _____ Signature: _____
(print or type in ink)

Address: _____ Date: _____

Title: _____