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PETER L. EDMANDS  
(Retired)

March 7, 2016

Matt Lauzon  
5 Southview Drive  
Biddeford, ME 04005

**RE: FOAA Requests Dated February 28, 2016 – MERC (#1)**

Dear Mr. Lauzon:

I am writing in response to your Freedom of Access Act Request dated February 28, 2016 which you captioned FOIA – MERC (#1). The proposed Purchase and Sale Agreement, Waste Handling Agreement and Recycling Collection and Disposal Agreement along with the summaries of the provisions of each agreement together with associated documents which served as the basis for the public hearing held on Tuesday, July 3, 2012 is available on the City website at <http://www.biddefordmaine.org/proposed-agreement-june-28-12>. In addition, the market and feasibility study regarding the former MERC site also is available on the City of Biddeford website. Finally, I have attached a copy of the Request for Proposals which previously was available on the City of Biddeford's website.

With respect to the balance of your request, the City currently is compiling documents responsive to your request. The City anticipates that compiling the documents will take several hours and that the documents requested will consist of several thousand pages. An estimate of the total cost of copying the documents and the time necessary to respond to your request will be provided on or before March 30. The City urges you to narrow your request so that it may respond to your request more efficiently and expeditiously.

Matt Lauzon  
March 7, 2016  
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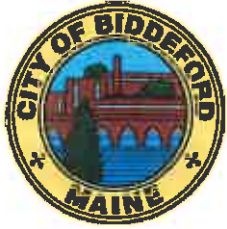
The cost of producing the attached feasibility study is \$6.00. Please forward payment to me at your earliest convenience.

Sincerely,



Keith R. Jacques

KRJ/cem  
cc: Alan Casavant, Mayor  
James Bennett, City Manager

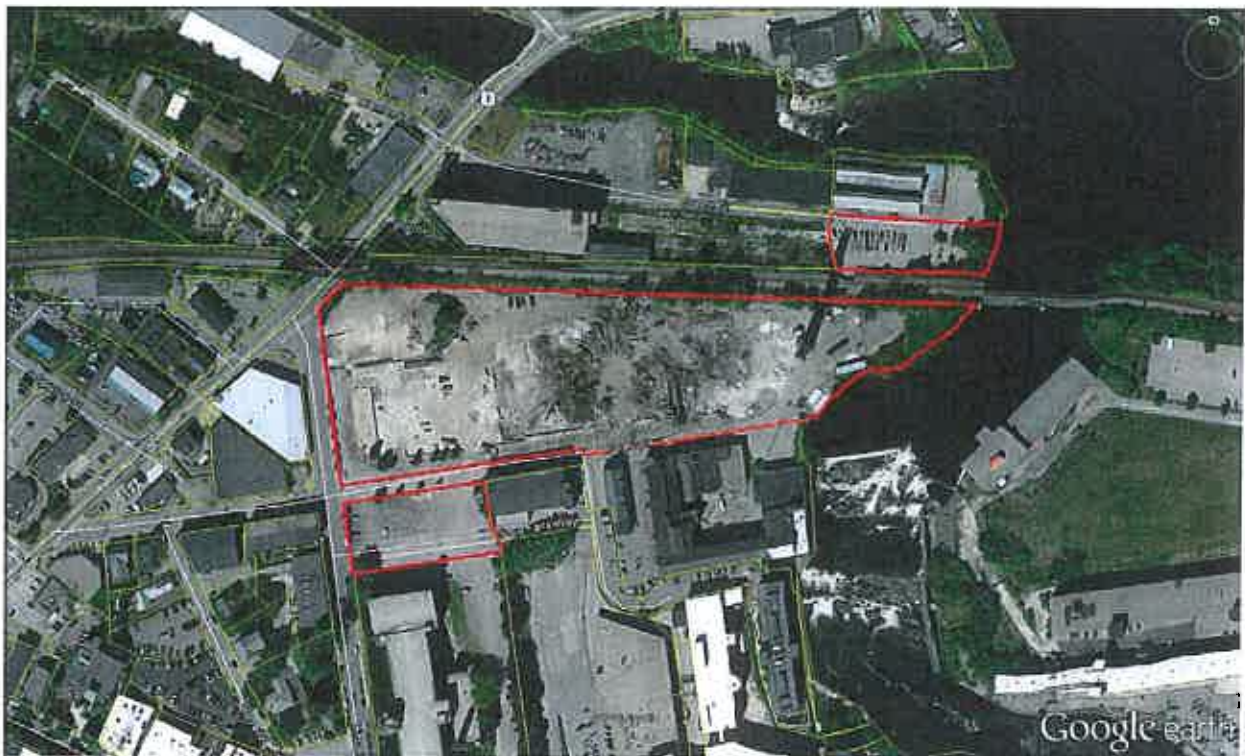


## CITY OF BIDDEFORD

ECONOMIC DEVELOPMENT

# Former MERC Site Redevelopment Market and Feasibility Study

A study to determine the highest and best use of a municipal  
owned property



Overview of Former MERC Site located within the Mill District Redevelopment area

**RFP Release Date: April 2, 2014**  
**Proposal Submission Date: May 2, 2014**

[www.biddefordmaine.org](http://www.biddefordmaine.org)

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## Summary

The City of Biddeford, Maine (City) invites written professional services proposals to provide a market and feasibility study to determine the highest and best use of a City-owned property located within the Mill District Redevelopment area. This is part of a significant undertaking by the City to return the area to economic prosperity. The successful consultant will have the unique opportunity to assist the City to identify the highest and best use of the property including various types of mixed-uses including, but not limited to, commercial, retail, industrial, residential and tourist uses that the market will support in each component of this RFP, as it relates to this 8.5 acre property.

The Request for Proposals (RFP) and all related materials are available electronically via the City website at <http://www.biddefordmaine.org>. Utility maps may be requested independently. The City is not responsible for any expenses or costs associated with this RFP; proposers responding do so solely at their own expense.

## Selection Criteria

The City will select a qualified and experienced consultant with a strong foundation and focus on balancing fiscal, social, economic and environmental goals. Based on the RFP Evaluation Criteria stated further on in this RFP, the City will select the consultant that best meets the following criteria:

1. **Experience:** Demonstrated experience providing market and feasibility studies and recommendations for the redevelopment of municipal owned properties, as shown by work samples, project staff qualifications, and range of experience.
2. **Overall Proposal:** Responsiveness to the RFP.
3. **Proposed Approach:** Proposed approach represents a well defined strategy and appropriate analysis methods that is likely to achieve the desired product.
4. **Timeframe:** Service timeframes and ability to complete the work within the time frame established by the City.
5. **Work Plan:** A comprehensive work plan/project schedule, including tasks, activities, timelines, project milestones, meetings and key dates. Delivery of services should be organized into phases, with targeted completion dates.
6. **Detailed Summary:** Summary of the method used to define primary and secondary markets, and the rationale for why this is appropriate.
7. **Data Collection:** Sources of data and type of data analysis used.

## Site Information

The site consists of 8.5 acres of land that is comprised of one irregularly shaped parcel bound to the west by Lincoln Street, the east by the Saco River, and to the north and south by a combination of Saco Falls Way, Pearl Street, the Boston & Maine Railroad, Gooch Street, and several commercial/industrial buildings. The City purchased the site in 2012 and removed the former MERC facility in 2013. Only the former building's concrete slab and the exhaust stack, currently in use as a cellular phone tower, remain on the site. This parcel of land is a highly visible, key component of Biddeford's downtown footprint, tying into the City's Downtown Mill District Master Plan. The parcel is currently zoned Main Street Revitalization District 3.

Mixed-use developments that provide commercial/office/retail space with strong pedestrian scale and urban design characteristics have been identified as preferred goals. Additional goals include promotion

of pedestrian traffic and activity use throughout the day and evenings, as well as enhanced linkages to compatible development with other downtown developments and businesses.

## **Role of the City of Biddeford**

A staff member within the Economic Development office will serve as the City's primary contact to the selected consultant and be will responsible for implementation, coordination, and administration of the initiative. City staff will provide the consultant team with all relevant background information including plans, studies, and reports.

The Economic Development office will provide coordination with other City departments and area stakeholders, as may be required, to collect and analyze information useful for the market study.

## **Public Policies, Plans, and Studies**

The proposed market study will be driven and guided by the City's policies and plans that provide a context for all design and development decisions. The following plans and studies will be made available to the selected consultant team to assist with the preparation of the market study:

Biddeford Mill District Master Plan, October 2009  
Biddeford Mill District Master Plan Market Assessment, October 2009  
Heartworks Master Plan (sponsored by the Orton Family Foundation)  
Mill District Parking Feasibility Study, October 2012  
Downtown Parking Study, October 2012  
Land Development Ordinances  
List of Building Codes

## **Scope of Services**

### **Market Area Analysis**

The City desires a thorough and specific market analysis of primary and secondary market areas including key economic and demographic trends, an assessment of recent developments in commercial/retail/light industrial markets, a review of recent retail sales, and the identification and assessment of key regional industries – including tourism. While the City recognizes that the Consultant's desired approach may not include each of these areas, or may include areas not listed here, the City will choose the consultant who comprehensively addresses the desired areas best. The goal of this project is to determine the highest and best use of the property for the benefit of the City and its businesses and residents. The study should also consider the impacted area greater than the 8.5 acre parcel.

The Market Area Analysis is anticipated to take up to 90 days to complete.

### **Project Orientation**

The selected consultant shall meet with the City to negotiate the terms of the contract for services provided with regard to the RFP. At that time, the Economic Development office will coordinate to:

1. Clarify the scope of the market study and roles and expectations of the consultant;

2. Review work plan and timeline for completion of the market study; and
3. Outline the framework for communication regarding the findings and recommendations of the market study to stakeholders and the general public.

## **Stakeholder Interviews**

After the execution of the contract, the Consultant shall interview area businesses, institutions, property owners and landlords, developers, and the brokerage and real estate communities as deemed necessary to gain an understanding of the current market. The list of specific entities and individuals to be interviewed, the number of interviews, along with the questions to be asked, shall be developed jointly by City staff and the consultant.

## **Definition of Market Areas**

Although the study area for this project has been defined, the selected Consultant shall clearly define the primary and secondary market areas, especially as they relate to commercial, retail, light industrial, residential/non-residential and tourism uses.

## **Definition of Competitive Market Areas**

The Consultant shall identify those areas of the City and neighboring communities that are most likely to compete with the primary and secondary market areas.

## **Inventory of Current and Projected Socio-Economic Conditions**

The following information will be collected and analyzed by the Consultant in preparation for development of the Market Study:

1. Consultant shall collect, analyze and present a socio-economic profile of the primary and secondary market areas based upon U.S. Census data and/or other appropriate data sources. The consultant will look for information such as household composition, age and gender mix, education levels, income levels, business and employment levels, transportation and housing usage, commute to work times, residents' place of work, etc.
2. Consultant shall provide socio-economic information for competitive market areas; however, the City recognizes that this may not be as in depth as for the primary and secondary market areas.
3. Consultant shall provide a clear and concise summary of current socio-economic conditions of the primary and secondary market area.

## **Deliverables**

Each defined area in the Mill District Redevelopment area has unique and specific requirements. Utilize the Mill District Master Plan to gain a thorough understanding of the differences between each area. Following are the anticipated deliverables for this project:

1. Market Area Analysis: The analysis should quantify the potential demand for commercial, retail, light industrial, and/or office development and residential and/or non-residential and tourism



development within the former MERC site area. Provide a range of rental rates and sales prices that reflect the current values of the specific uses (where applicable). A more detailed outline of the elements of the Market Area Analysis is listed in Appendix A: Expectations.

2. **Fiscal Impact Analysis:** The analysis should estimate the costs and revenues associated with land use decisions, infrastructure needs, improvements costs, and project future budget requirements to provide the City's decision makers with a better understanding of the financial impacts of land use decisions and development options for the site.
3. **Site Marketing Recommendations:** The analysis should include site marketing recommendations to attract local, regional and national developers.
4. **Final Report:** Utilize the market research conducted to determine the overall feasibility of the findings and define steps necessary to accomplish and address the needs of the study area. The report shall summarize all findings, including background review, assessment of existing conditions, economic and land-use development profiles, residential and commercial development projections, residential and commercial development opportunities and targets, and final conclusions. Include all necessary charts, tables, and figures to justify the conclusions and recommendations outlined in the report. Include a two-page Executive Summary, providing the primary conclusions of the study in a brief format.

Drafts of the report shall be provided to City staff for comment/feedback as often as staff deems necessary. Upon acceptance of the report, the Consultant may be required to present findings to City staff, residents, and other interested individuals. The City will own the final documents and all associated materials. Deliverables include electronic and paper copies.

A more detailed outline of the elements of the Final Report is provided as Attachment A: Expectations.

## **Cost**

The Consultant's proposed budget and cost for completing the work outlined in this RFP must include a task breakdown of project cost by each staff/team member and hours assigned to each staff/team member. As part of the cost proposal, the consultant shall also provide hourly rates, by personnel, for any additional services.

## **Submission Requirements**

Consultants wishing to be considered for this work shall submit copies of their proposal to the Economic Development office. To be considered responsive, all proposals must contain the information in the format described below. Any submission that does not provide the required elements as outlined below may be deemed non-responsive. The City reserves the right to identify, clarify, and accept any minor informalities or irregularities in determining whether or not a submittal is responsive.

In keeping with the sustainable ideologies of the City, electronic submittal is the preferred method for the submission of proposals. Files submitted in a .pdf format and no larger than five (5) megabytes can be submitted directly to [MERCRRFP@biddefordmaine.org](mailto:MERCRRFP@biddefordmaine.org). Please contact Daniel Stevenson at (207) 282-7119 for details outlining the secure ftp process for larger files.



Hardcopies of the proposal will also be accepted. Packages may be delivered to the City as outlined in the Submittal section of this RFP. Please include a DVD or thumb drive with one paper copy of the proposal.

**Proposals must be received by 5pm EST on or before May 2, 2014.**

**No proposals will be accepted after that time.**

The proposal should include, at a minimum, the following components:

1. **Cover Letter:** Provide a signed cover letter that includes a general statement from an authorized officer or director of the consulting entity submitting the proposal.
2. **Table of Contents:** Provide a table of contents, with page numbers.
3. **Executive Summary:** The executive summary should address the highlights of the proposal, along with any special expertise and strengths of the firm or consultant team needed to successfully accomplish the objectives of the RFP and shall be limited to no more than two pages.
4. **Consultant Team:** Provide 1 page résumés for all members of the Consultant team, noting the key personnel for the successful completion of the market study. It is expected that the team members listed in the proposal will be the personnel that will actually perform the work plan for this project.
5. **Related Experience:** Provide a brief narrative that summarizes each team member's experience with market studies in municipal market areas.
6. **Work Product Samples:** Provide a minimum of two relevant market study samples with references that include current contact information. Please include the type of jurisdiction (i.e., City or County), its population, the staff involved, and the role each team member played.
7. **Detailed Approach:** The methodology described in the response to the RFP will be used to determine which consultant has the most effective approach to determining feasibility of the goals and objectives outlined. The following must be included in all proposals to be considered responsive to the RFP.
  - a. A general statement on the project understanding and proposed methodology that will be used to complete the scope of work.
  - b. Summary of the method intended to be used to define primary and secondary markets, and the rationale for why this is appropriate.
  - c. Specify the most suitable sources of data and type of data analysis intended to be used. Include a summary of the socio-economic data believed most relevant to the study.
  - d. A comprehensive work plan/project schedule, including tasks, timelines, milestones, meetings, and key dates. Delivery of services should be organized into phases, with targeted completion dates.
  - e. Approach to effective communication with entities involved in the study and an outline of how they will be engaged throughout the study.
  - f. List types of candidates that will likely need to be interviewed along with the total number of interviews that will be necessary to complete the project.

- g. A description of how the scope of work will be managed and identification of major challenges to the successful completion of the scope of work. Please include a detailed description of how the identified challenges will be approached and resolved.
8. **Service Timeframes:** Provide a detailed description of the services to be performed by the consultant based on the work plan and the average timeframes required to complete each task. This should include:
    - a. The anticipated number of staff-hours and other resources required to complete each task.
    - b. All personnel anticipated to be involved in each task.
  9. **Project Cost:** Provide detailed costs for the services to be performed by the Consultant based on the scope of work and as outlined in the Project Cost section of this RFP.
  10. **Conflict of Interest Statement:** Submit a statement describing any potential conflict of interest or appearance of impropriety, relating to other clients of the firm, or officers, directors, and employees of the City or other groups involved in the project, which could be created by providing services to the City.
  11. **Insurances:** Provide proof of workman’s compensation insurance, liability insurance of at least \$300,000 combined single limit and professional liability insurance. During the term of the contract, the consultant agrees to maintain such insurance and provide the City with current proofs of insurance.
  12. **Indemnification:** Acknowledge that the selected consultant shall agree to indemnify and hold the City harmless from claims, demands, suits, causes of action and judgments arising from the Consultant’s performance including claims of professional malpractice or negligence.

## Evaluation and Selection Criteria

### Evaluation

Evaluation of proposals submitted will include but not be limited to the criteria listed below. City staff will evaluate all complete and responsive proposals that are received by the submission deadline. After all proposals are evaluated by staff, the City will negotiate an agreement with the preferred Consultant.

Proposals shall be evaluated in accordance with the following criteria:

EVALUATION CRITERIA	
1	Experience: Demonstrated experience providing market and feasibility studies for mixed-use development, as shown by work samples and the qualifications and range of experience of project staff. Experience in dealing with former mill site redevelopment initiatives will be given priority. Proven ability to identify trends and markets that optimize job creation.
2	Overall Proposal: Understanding of and responsiveness to the RFP. A thorough understanding of commercial, industrial, retail and housing markets, the site’s proximity to downtown, and the importance of the need for an overall diverse mixture of uses.

3	Proposed Approach: Proposed approach presents a well thought-out strategy that is likely to achieve the desired product.
4	Timeframe: Service timeframes and ability to complete work within the time frame established by the consultant.
5	Work Plan: A comprehensive work plan/project schedule, including tasks, timelines, milestones, meeting and key dates, etc. Delivery of services should be organized into phases, with targeted completion dates.
6	Project Cost: A comprehensive budget with task breakdown of project cost by each staff/team member and hours assigned to each staff/team member. Costs should be easily matched to the phases included in the work plan.
7	Detailed Summary: Summary of the method used to define primary and secondary markets, and the rationale for why this is appropriate.
8	Data Collection: Sources of data and type of data analysis used.

**Selection Process and Schedule**

City staff will conduct evaluations on each proposal submitted and compare them based on their ability to address the evaluation criteria outlined in the RFP.

1. Responsive proposals will be thoroughly reviewed by City staff. The City reserves the right to identify, clarify, and accept any minor irregularities or informalities in determining if a proposal is responsive.
2. Following review, one or more of the Consultants may be asked to clarify or provide additional information.
3. All Consultants submitting responsive proposals will receive notice by email of the City’s determination.
4. Selected Consultants may be required to participate in an in-person interview with the City’s selection team.
5. In the event that the City only receives one responsive submittal to this RFP, the City reserves the right to discontinue the solicitation process and begin direct negotiations with the respondent.

**Selections**

All proposals are due to the Economic Development office by 5:00pm on May 2, 2014 and the chosen respondent will be notified of the City’s decision by May 23 2014. The City reserves the right to reject any and all proposals at its sole discretion. Consultants not awarded the work outlined in the RFP will be notified by mail. The successful consultant will be required to sign a contract with the City in which they accept responsibility for the performance of services as stated in their proposal.

## **Submittals**

The preferred form of submittal to this RFP is electronic and all proposals are due at the address listed below. Hard copies will also be accepted. Submittals should be addressed in the following manner:

**CITY OF BIDDEFORD REQUEST FOR MARKET AND FEASIBILITY STUDY  
FOR THE  
FORMER MERC SITE  
Name of Respondent  
Date Submitted**

**Delivery Contact:**

Daniel Stevenson  
Director  
Economic Development Office  
City of Biddeford, Maine  
PO Box 586  
205 Main Street  
Biddeford, ME 04005

**Electronic Delivery Address:**

MERCSTUDY@biddefordmaine.org

## Appendix A: Expectations

The following appendix is included to give respondents an idea of the information that will be included into the overall development of the market study.

1. **Commercial Development:** As needed, address the individual commercial needs with the following:
  - a. Quantify existing and future projections of commercial need and demand in the office, retail, and service sectors, including employee, space, and location needs, transportation and parking needs, customer base, development utility needs, and footprint/design preferences.
  - b. Determine existing and projected need and demand specific to the local niche market retail and services sectors in Biddeford.
  - c. Determine realistic absorption rate for commercial development, particularly retail, restaurant and cultural uses, and identify barriers to absorption.
  - d. Outline demographic trends and consumer demands in the emerging niche retail market in Biddeford and similar markets.
  - e. Commuting patterns, commuter profile, and the corresponding influence on primary and secondary market areas.
  - f. Current consumer expenditure within the primary and secondary trade areas by NAICS (North American Industry Classification System).
  - g. Potential consumer expenditure within the primary and secondary trade areas.
  - h. Potential tourist related development, as identified in the study.
  
2. **Office Development:** As needed, address the individual needs with the following:
  - a. Analysis of office (employment) within Mill District study area
  - b. Size, age, and conditions of buildings
  - c. Typical floor plan configuration
  - d. Typical lease rates/property values
  - e. Vacancy rates/durations
  - f. Review of office employment existing within study area by NAICS
  - g. General competitive advantages and disadvantages
  - h. Analysis of office (employment) within competitive areas:
    - i. Size, age, and conditions of buildings
    - j. Typical lease rates/property values
    - k. Vacancy rates/durations
    - l. Review of office employment existing within competitive areas
  
3. **Residential Development:** As needed, address the individual residential needs with the following:
  - a. Quantify existing and future projections of housing need and demand
  - b. Determine realistic absorption rate for residential population increase and capture of new housing stock and identify barriers to absorption/attraction.
  - c. Outline demographic trends, community needs, and consumer demands in the emerging urban housing market in Biddeford and similar markets.
  - d. Review and analyze residential projects under construction or planned within primary and secondary market areas.

- e. Conduct an overview of multi-family developments currently found within primary and secondary trades areas (apartments, condos, and senior housing)
  - f. Age, style, condition
  - g. Lease rates or sale prices
  - h. Discussion of competitive advantages and disadvantages of additional multi-family residential development within primary and secondary trade areas as it relates to market potential and economic development.
  - i. Current market standards for multi-family residential development (construction costs and lease rates/sale prices)
4. Commercial Financial and Market Analysis: Provide a 5-year commercial and jobs market analysis that answers the following:
- a. What is the potential for development of commercial, retail, light industrial, and office space and employment uses in the area?
  - b. What are the likely characteristics of different types of commercial developments (i.e. floor area and configurations) given policy, regulatory and market conditions?
  - c. What is the likely rate of development and absorption for the different types of commercial use projected?
  - d. What employment sectors and uses are likely to be attracted to the area (i.e. medical, hotel/travel, entertainment)? Are there emerging or niche markets that have the potential to serve residents and users?
  - e. What are the estimated costs and revenues associated with land use decisions?
  - f. What are the financial impacts of land use decision on the City's budget?
5. Housing Financial and Market Analysis: Provide a 5-year housing market analysis that addresses the following questions:
- a. What are the demographic and socioeconomic characteristics of existing and likely future residents?
  - b. What are the housing types likely to be developed, given current regulatory and market conditions?
  - c. What is the likely rate of development and absorption of new housing units?
  - d. What are the estimated costs and revenues associated with land use decisions?
  - e. What are the financial impacts of land use decision on the City's budget?

## **Final Report:**

Provide a final report that will summarize all findings, including background review, assessment of existing conditions, economic and land use and development profiles, residential and commercial development projections, residential and commercial development opportunities and targets, recommendations for stimulating development and attracting potential developers. Conclusions and recommendations should include the following information as it applies to the unique needs within the boundaries of the Mill District redevelopment area:

- a. Specific recommendations regarding the amount, size, and configuration of various types of uses that can realistically be anticipated in consideration of overall market demand and the presence of competitive establishments and locations within or near the Mill District redevelopment area.

- b. Discussion of potential synergies or combinations of uses and activities that would reinforce each other and increase their market viability (i.e. could a mixed use development help create additional demand for some retail uses, could the presence of certain retail enhance the desirability of the study area for additional employment, etc.)
- c. Identification of negative factors or barriers to development of the desirable types of uses.
- d. Recommendations for marketing the site to potential developers.