

ORDINANCE NO. 3249

AN ORDINANCE to provide for the advertising for and receipt of bids relative to the granting by the City of Alexandria, Virginia, to a person, firm or corporation and their successors or assigns, hereinafter to be ascertained in the manner prescribed by law, of a deed of lease, upon certain conditions, to a certain piece or parcel of improved public property known as the Alexandria Academy, located at South Washington and Wolfe Streets, public streets in the City of Alexandria, to provide the process for granting said lease, and to repeal uncodified ordinance number 2995, passed December 15, 1984.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section I. That it is proposed that the city shall grant a lease, in the manner prescribed by law, of a certain piece or parcel of improved public property known as the Alexandria Academy, located at South Washington and Wolfe Streets, subject to the conditions and provisions to be embodied in a deed of lease for a term not to exceed 40 years, as set forth in the following draft of a proposed ordinance:

ORDINANCE NO. _____

AN ORDINANCE to grant
to _____, its successors
and assigns, a deed of lease, upon certain
conditions, to a certain piece or parcel
of improved public property known as the
Alexandria Academy, located at South
Washington and Wolfe Streets, in the City
of Alexandria, Virginia.

THE CITY COUNCIL OF ALEXANDRIA
HEREBY ORDAINS:

Section 1. That a lease is hereby
granted unto _____,
hereinafter referred to as "Grantee," its
successors and assigns, for the term and
subject to the provisions of the deed of
lease hereby approved and incorporated herein
by reference, to a certain piece or parcel of
improved public property known as the
Alexandria Academy, located at South
Washington and Wolfe Streets.

Section 2. That the right to enter
into this lease, hereby granted, is awarded
to the Grantee after due and repeated

advertisement as required by law, wherein bids were invited, pursuant to the notice contained in section II of ordinance no. _____, and after the requests for bids were duly closed and all bids were fully and carefully investigated and evaluated.

Section 3. That the city manager of the City of Alexandria, be and hereby is authorized to execute the deed of lease on behalf of this council and the City of Alexandria.

Section 4. That the city clerk be and hereby is authorized and directed to attest the execution of said deed of lease and to affix thereon the official seal of the City of Alexandria.

Section II. That as soon as this ordinance has been finally passed, the city clerk shall cause to be advertised once a week for four successive weeks in a newspaper published in the City of Alexandria, a descriptive notice of the draft of the proposed ordinance contained in section I of this ordinance and, in addition thereto, shall by such advertisement invite bids for the lease proposed to be granted by such draft ordinance, by publishing with the descriptive notice of such ordinance a notice which shall be in substantially the following form:

NOTICE

Bids are invited by the City Council of the City of Alexandria, Virginia, for the lease of the Alexandria Academy, a three-story brick building constructed in or about 1785 and endowed as a free public school by George Washington, located at South Washington and Wolfe Streets in the Old and Historic District of Alexandria. The structure is available for lease for a term not to exceed 40 years. Restoration, both interior and exterior, is to be at the sole expense of the lessee and is to be performed in strict compliance with the guidelines of the Secretary of the Interior's Standards for Historic Preservation and with the recommendations based upon the 1987 Buchanan & Phillips study. All work is to be performed in consultation with an advisory city staff committee appointed by the city manager and having one representative member of the community who has demonstrated particular interest in the appropriate restoration of this historic building. The same high standards required for the restoration shall be applicable to repairs and maintenance performed during the term of the lease. The building contains approximately 1,800 square feet. Public access for occasional, scheduled tours is required.

Bidders must complete a City of Alexandria bid form that will require bidders to supply information pertaining to financial and development qualifications, references of their firms and of their architects, names of sureties, and a schedule for the beginning and completion of the restoration of the building. The intended use of the restored structure is to be clearly stated by bidders and will be a consideration in the selection of the preferred bidder. Bidders are advised that the schedule for the beginning and the completion of the restoration (as evidenced by the granting by the City of a certificate of occupancy) is of prime importance to the City. The total time permitted the lessee, from the execution of the lease to the date of the certificate of occupancy, shall not exceed 24 months. If the restoration is not completed within that period of time, lessee shall thereupon begin paying rental on the building at the monthly rate of \$1,500 until a certificate of occupancy is issued, at which time the rental shall revert to the amount set forth in the lease.

A bid package consisting of architectural and engineering studies, the Buchanan and Phillips study, the Secretary of the Interior's Standards for Historic Preservation, estimates and essential contract requirements is available from the City Purchasing Agent, Room 1700, City Hall, 301 King Street, Alexandria, Virginia 22314, for a deposit of \$100. The deposit is refundable at the conclusion of the bidding period if complete, undamaged and unmarked bid packages are promptly returned to the City. Insurance to be carried on the structure and indemnification of the City by the lessee, in a form and extent approved by the city attorney, will be required from inception of lease and throughout the term thereof, all at the sole expense of the lessee. Any person, firm or corporation submitting a bid in response to this notice will be thereby representing to City Council that such bidder has studied all available documents, conditions, lease requirements and terms and is ready, willing and able, if selected as the preferred bidder, to consummate a written lease with the City within a period of not more than 45 days from the date of selection. Failure to execute the lease within 45 days, unless extended by the city manager, shall terminate the preferred bidder status.

The lessee shall be required to guarantee payment in full of all estimated costs of restoration. A corporate surety bond, letter of credit, certificate of deposit or similar financial guaranty for at least the sum estimated to be the full cost of restoration, of a company authorized to do business in Virginia, or a cash escrow for the estimated full amount of restoration costs, shall be deemed to be a satisfactory guaranty. For guidance to bidders, it is anticipated that the restoration expenses will be at least \$375,000. All other considerations being equal, preference in the selection of a preferred bidder will be given to bidders experienced in Old and Historic District real estate developments and Rehabilitation Tax Act projects.

All bids are to be submitted in writing and delivered to the City Council of the City of Alexandria, Virginia, in open session in the Council Chamber, City Hall, on the 12th day of January, 1988, at the hour of 7:30 p.m.

After receiving the bids, the presiding officer and the City Council will proceed to consider the bids received and the selection of and the negotiation with a preferred bidder hereafter selected.

The City reserves the right to reject any and all bids and the right to terminate negotiations at any stage of the preferred bidder selection process or in the lease negotiations with that bidder, at its sole discretion, and to modify the request for bids and/or the procedures for consideration. The selected preferred bidder shall be required to reimburse the City for the cost of this advertisement.

THE DESCRIPTIVE NOTICE OF THE PROPOSED ORDINANCE IS AS FOLLOWS:

AN ORDINANCE to grant a deed of lease of the Alexandria Academy to the successful bidder, after due investigation and evaluation, upon such terms, conditions and provisions as set forth in the approved deed of lease, and to authorize the city manager to execute same. (Complete text of ordinance available in office of the city clerk.)

Section III. That uncodified ordinance number 2995, passed December 15, 1984, by which bids for the restoration of the Alexandria Academy were previously solicited, be and the same hereby is repealed.

Section IV. That the title of and an informal memorandum explaining this ordinance shall be published in a newspaper of general circulation published in the city not later than five days following its introduction, together with a notice containing the time and place for a public hearing. The city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet requests. The city clerk shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective on the date of its final passage.

JAMES P. MORAN, JR.
Mayor

Final Passage: November 14, 1987