

**CITY OF FORT WORTH, TEXAS
ADDENDUM NO. 4
(SUPERSEDES AND REPLACES ADDENDUM NO. 3)
CENTRAL ARLINGTON HEIGHTS
Notice of Sealed Bid Sale**

Issued: November 3, 2023

This addendum forms a part of the Notice of Sealed Bid Sale and modifies the original Notice of Sealed Bid Sale. Bidders should acknowledge receipt of this addendum by emailing "Received and Acknowledged Addendum No. 4" to the City's Property Management Department at CAH.Sale@fortworthtexas.gov. The email should include the bidder's name, point of contact, email address, and phone number. Failure to acknowledge receipt of this addendum could subject the provider to disqualification.

A. Extension of Offer Due Date:

Due to the number of questions received, the Offer Due Date included in the table on Page 4 of the Sealed Bid Purchase Agreement is being extended from Thursday, November 30, 2023 at 1:30 PM to **Thursday, December 7, 2023 at 1:30 PM.**

B. Changes to the Sealed Bid Purchase Agreement

The following changes are made to the Sealed Bid Purchase Agreement due after further review of the requirements based on the questions received:

1. The note below the table on page 19 is replaced to read:

Note: The finished floor of new and elevated homes and any equipment serving the home must be at least 2 feet above the non-FEMA Base Flood Elevation. Existing accessory buildings such as garages and sheds are not required to be retrofitted, unless significantly modified, and can remain within the Base Flood Elevation understanding that they will be likely to flood. Future or significantly modified accessory buildings, such as garages and sheds, must be water resistant (usually concrete and no sheetrock) up at least 2 ft above the 100-year non-FEMA base flood elevation to prevent damage to the walls when flooded. Also, all electrical and mechanical equipment must be at least 2 ft above the 100-year non-FEMA base flood elevation. In addition, flood vents are required in walls and/or garage doors to allow for the flow of floodwater.

2. The response to Question (2j) in Addendum No. 2 is revised as stated below:

Question: The garage apartment at 2300 Carleton seems newer, it seems the slab has been raised on it. Does this garage apartment need to be raised as well?

Response: If significant modifications are made to the garage apartment at 2300 Carleton, the structure will have to be elevated 2' above the non-FEMA flood elevation and meet the same standards as the main structure.

- C. **This Addendum No. 4 supersedes and replaces Addendum No. 3.** The questions included in Addendum No. 3 are included below. Specifically, the response to Question (20) has been updated by this Addendum No. 4.

Questions and Answers Below:

1. **Are there any opportunities for the developer to utilize additional Texas Water Development funding such as the Flood Mitigation Assistance Program or the Flood Infrastructure Program to assist in the cost of either raising the existing structures 2' above the BFE or rerouting the existing stormwater lines?**
 - The City does not anticipate seeking any grant funds for this project.
2. **Special Warranty Deed condition viii provides a first right of refusal should the “project” fail to be completed. Is this for every lot within the “project” collectively, or on a lot-by-lot basis?**
 - The Conditions, including the City’s Repurchase Right, will be applied on a lot-by-lot basis.
3. **One of the AH Design Standards and Guidelines states that mitigating additional impervious cover will be required. Can the developer expect relief from standard city ordinance requirements such as alley paving to access rear-facing garages or relief from certain material requirements for dust-free driveways?**
 - The project must meet all current City requirements and regulations. However, when evaluating the proposed development plan, the Development Services team may consider variances or waivers on a case-by-case basis. Variances or waivers may be subject to Council approval.
4. **Will interim drainage conditions studies be more stringent than standard SWPPP practices for new construction?**
 - Yes. Due to the flood prone nature of the area, the developer will need to manage the quantity and direction of stormwater runoff to reduce the risk of flooding neighboring properties during construction.
5. **Is the project eligible for additional development incentives such as those provided in NEZ’s such as waived permit fees? Water meter fees? Etc?**
 - No.
6. **If the developer selects to reroute the existing stormwater lines, would the city participate in allowing relocation to occur within City-owned lots at 2209/2211 Western Ave. and/or 2219 Western Ave.?**
 - No. However, the new property owner may reach out to FEMA to request approval for relocation on to the properties (FEMA review is expected to be a lengthy process). If FEMA approval is obtained, the City will consider allowing relocation on to the properties but will not participate in any cost-sharing.
7. **If the developer selects to reroute the existing stormwater lines, would the city allow utilization of the proposed minimized utility separation/easements per the new (not yet adopted) Urban Infill chapter of the Subdivision Ordinance?**
 - No. These are yet to be adopted by City Council and are subject to change. Please refer to page 17 of the Sealed Bid Purchase Agreement for information regarding utility relocation.
8. **Will the property be fully conveyed to the developer upon the sale of the property or upon the completion of the project?**
 - The properties will be fully conveyed to the developer upon sale, subject to the Conditions, including the City’s Repurchase Right.

9. Conditions for sale indicate that houses may be occupied once the developer obtains “all applicable City permits and written confirmation that the redeveloped property is in substantial conformance with these design standards and guidelines.”
- Does that mean that all of the properties cannot be occupied until the completion of all of the work? **No.** Does that mean that properties can be occupied on a one-on-one basis for the completion of each lot? **Yes.** Does that mean that only permits are required before a house can be occupied? **No.**
 - As stated in Addendum No. 2 in response to Question (1a): No house shall be occupied until all the requirements in the Sealed Bid Purchase Agreement have been met and the City has signed off on the Final Inspection for the property. To clarify, a house may be occupied once the property has cleared Final Inspection and met all the requirements in the Sealed Bid Purchase Agreement, even if the other properties have not yet cleared Final Inspection and met all the requirements in the Sealed Bid Purchase Agreement. Please see Addendum No. 2 at:
<https://www.fortworthtexas.gov/files/assets/public/v/2/property-management/documents/real-estate-forms/cah-addendum-2-revd-10022023.pdf>
10. To defer the costs of redevelopment, can some of the homes be occupied while redevelopment plans are being made and plans are being reviewed?
- **No.** Homes cannot be occupied until they have been elevated 2ft above the BFE and the property has cleared Final Inspection and met all the requirements in the Sealed Bid Purchase Agreement.
11. Does the 2' above BFE marker include a calculation for anticipated future redevelopment upstream and downstream from the project location or does it only reflect current conditions?
- The minimum finished floor elevation is shown on Page 19 of the Sealed Bid Purchase Agreement.
12. The packet indicates that the “Stormwater Program has included this segment of storm drain pipe in the list of future potential improvements based upon priority and availability of resources.”
- Have designs been produced or approved for these improvements? **No.**
 - Have funds been set aside for these improvements? **No.**
 - Is this project listed as a future CIP? **No.**
 - If the City decides to proceed with this project, are the existing structures immediately adjacent to or above these lines in jeopardy?
 - **No,** the City will work to minimize construction impact to the structures. The City would work with the property owner to coordinate improvements while considering the developer’s plans. If feasible, the City would use trenchless construction methods to improve the storm drain system.
13. The packet indicates that no platting will occur. Will stormwater easements be expected as Separate Instruments?
- **Yes;** or the stormwater easements may be reserved in the City’s deed to the developer.
14. Can the City-owned lots at 2209/2211 Western Ave. and/or 2219 Western Ave. be utilized as staging areas during construction of the project?
- **No.**

- 15. How stringent are the material guidelines for the project? Say, a client wants a standing seam metal roof. What happens then?**
- The material guidelines were developed based on feedback from the community stakeholders, while balancing ease of redevelopment. Page 16 of the Sealed Bid Purchase Agreement specifically prohibits metal roofs.
- 16. The Certified Funds Letter from a legal banking institution that's submitted with bid: does that need to show there is also enough money to elevate or demolish the homes, too?**
- The Certified Funds Letter should demonstrate that the bidder has sufficient capital to support the bidder's offer, including the bidder's proposal to redevelop the properties in accordance with the Conditions described in the Sealed Bid Purchase Agreement.
- 17. What is the sequence of events after the City selects a winning bid? At what point do the deeds get transferred from the City to the new owner? Who pays for deed /title transfers? At what point is the buyer allowed to re-sell the properties?**
- Once the City selects a winning bid, City Council will be asked to approve the sale of the properties at a public City Council meeting. Once approved by City Council, the City would move forward with the conveyance process and the deeds would be executed and recorded at closing. The developer is responsible for paying for closing costs. The new buyer is allowed to re-sell the properties at any time, but the Conditions in the Sealed Bid Purchase Agreement, including the City's Repurchase Right, would be transferred to the new owner.
- 18. In order to elevate the homes, the utilities will have to be turned off. Will the City still be the owner of the homes and the utilities in the name of the City until they are elevated? Once elevated, the utilities will need to be reconnected. Under whose name will the utilities be reconnected?**
- Once the properties are sold, the City will no longer be responsible for the utilities and will request them to be disconnected. The future reconnection costs will be the responsibility of the new owner.
- 19. If all the houses are elevated as is, they will still need to add a skirt, new stairs, new porch. Do those need to be proved out to show mitigation, even if the stairs and porch are on the same footprint?**
- The overall drainage study should show how the project as a whole (including skirts, stairs, porches, and all other site improvements) will comply with City regulations and requirements and not create adverse impacts based on the City's Stormwater Criteria Manual. If the same footprint is utilized, then it may be simpler to demonstrate no adverse impacts.
- 20. Is the attached garage at 2205 Western required to be elevated?**
- No, the attached garage does not have to be elevated but the garage has to be retrofitted to be water resistant (usually concrete and no sheetrock) at least 2 ft above the 100-year non-FEMA base flood elevation to prevent damage to the walls when flooded. Also, all electrical and mechanical equipment must be at least 2 ft above the 100-year non-FEMA base flood elevation. In addition, flood vents are required in the walls and/or garage doors to allow for the flow of floodwater. Alternatively, the entire structure may be demolished and rebuilt according to the conditions in the Sealed Bid Purchase Agreement.

21. Who issues the Elevation Certificates? The City or the elevator?

- The developer must provide Elevation Certificates to the City. The Elevation Certificate must be completed using the latest FEMA Elevation Certificate form by a registered public land surveyor or professional engineer and submitted within 60 days after completion of construction.

22. What's the difference between SOIS standards as compared to Base Flood Elevations?

- The City is assuming that this question is in reference to the table in Attachment 3.2 of the Sealed Bid Purchase Agreement. The first column is asking the bidder to identify which properties they plan to elevate (as opposed to demolish and rebuild) 2' above the BFE. The second column is asking if the elevation would be done in accordance with Secretary of the Interior Standards (SOIS), which requires the property owner to submit to the City Historic Preservation Officer drawings showing how these standards are to be met. Existing houses can be elevated 2' above the BFE with or without following SOIS. The Secretary of the Interior's Standards for Rehabilitation & Guidelines on Flood Adaptation of Rehabilitating Historic Structures provides guidelines for elevating a historic building. See links below for more information:

<https://www.nps.gov/orgs/1739/upload/flood-adaptation-guidelines-2021.pdf>

<https://www.nps.gov/articles/000/guidelines-on-flood-adaptation-for-rehabilitating-historic-buildings.htm>

23. Elevation costs in the appraisal are based on information provided by Boaz General Construction. Does the City have contact information for them? There is no information on this company on line.

- The appraiser used the first name of the business owner instead of the last name for the name of the businesses. Please see below:
Boaz Bryant, Bryant General Construction
Phone: 469-878-1345
Email: boaz@bryantgeneralconstruction.com
Website: www.bryantgeneralconstruction.com

24. Interim drainage condition study and plans (in addition to the final drainage condition plans as outlined in City Stormwater criteria) must be approved by Stormwater Development Services to ensure that no adverse impacts will occur during construction. Is this filed with the bid or after?

- Interim drainage condition study and plans (in addition to the final drainage condition plans as outlined in City Stormwater criteria) should be filed and reviewed after the bid.

25. How detailed does the engineering report need to be to demonstrate the improved properties will not make flooding worse? What kind of company/person is acceptable to do the report? Does this need to be filed with the bid, or after?

- The level of engineering will depend on the concept plan and the potential for impacts. The engineering data needs to show that the project complies with City Stormwater requirements in addition to interim drainage condition requirements as noted above in response to Question (4) of this Addendum. An engineer must sign off on the drainage studies. This information is not required to be provided with the bid. As noted in Attachment 2 of the Sealed Bid Purchase Agreement, a pre-development meeting with the City is required to be held before moving forward with the development to ensure both the developer and City are on the same page regarding permitting and review based on the Conditions, standards, and guidelines in the Sealed Bid Purchase Agreement.

26. Is a lot by lot concept plan and drainage study required to be filed with the bid, or after?
- The lot-by-lot concept plan and drainage study are required to be filed after the bid.
27. Will the mold at 2212 & 2216 Carleton and 2201 Western be treated before demolition or elevating? Who pays for that?
- Mold abatement will be the responsibility of the developer.
28. Were the roofs inspected or evaluated?
- No.
29. What's involved in the required drainage easement for 2212 Carleton, 2216 Carleton, 2220 Carleton, 2224 Carleton, 2300 Carleton, 2213 Western, 2205 Western? Is it just paperwork that needs to be signed?
- The City anticipates selling the properties subject to a 30-foot-wide easement with the existing storm drain line serving as the easement's center line. The deeds will reserve the drainage easement over the existing storm drain lines and may be vacated upon relocation of the line and acceptance by the City of the new infrastructure. The easement area for any new storm drain lines would need to be surveyed and the applicable easement conveyance documents provided to the City for approval and recording in the real property records of Tarrant County at the developer's cost.
30. Add to condition report: collapsed ceiling and buckled kitchen floor in 2216 Carleton, collapsed ceiling in garage apartment 2300 Carleton. Mold in 2201 Western and 2212 Carleton.
- The City has confirmed:
 - i. 2216 Carleton - collapsed ceiling and buckled kitchen floor.
 - ii. 2300 Carleton - collapsed ceiling in the bedroom of the garage apartment.
 - iii. Mold has been found in 2212 Carleton and 2221 Western but City's inspection during the week of October 23, 2023 did not find mold at 2201 Western.
31. Does the City retain the minerals rights for these 9 properties?
- The deed to the developer will include a reservation of mineral rights.
32. Is there a deadline to send Expressions of Interest to CAH.Sale@fortworthtexas.gov?
- No. Additionally, anyone can bid on these properties without submitting an Expression of Interest.
33. Star Telegram Ad Correction: There is no FEMA floodplain at 2212 Carleton. This is also still in the notice of sale somewhere
- The response to Question (2) in Addendum No. 1 corrects the Star-Telegram notice by providing: *The property table in the Star-Telegram add incorrectly denotes there is FEMA floodplain at 2212 Carleton Avenue. The notation is not correct and should only say 1, 3, 4. There is no FEMA floodplain at 2212 Carleton.*
No FEMA floodplain has been identified on these properties. See link below to Addendum No. 1 for reference.
<https://www.fortworthtexas.gov/files/assets/public/v/2/property-management/documents/real-estate-forms/cah-addendum-1-revd.pdf>