



**AVENIDA HOUSTON  
CONVENIENCE STORE OPPORTUNITY**

**ISSUE DATE:** February 22, 2022

**DUE DATE:** **2:00 p.m.** on **April 12, 2022** (the “Submission Deadline”)

**INSTRUCTIONS:** Respondents are asked to submit one paper copy and one electronic copy of their expression of interest on a flash drive in a sealed envelope delivered in person, via mail or by courier. All electronic files should include the name of the company as the first part of the file name. Diversity participation information provided by Respondent should be enclosed in a separately-sealed envelope (and in a separate folder on the flash drive) labelled “Diversity”. Submittals received by email, fax, or after the Submission Deadline will be rejected.

**SUBMIT TO:** Houston First Corporation, Attn: Mitch Miskowski, 701 Avenida de las Americas, Suite 200, Houston, TX 77010. Please write **“Convenience Store”** clearly on the outside of the sealed envelope.

**CONTACT INFO:** Any questions arising in connection with this solicitation must be submitted timely by email to [bids@houstonfirst.com](mailto:bids@houstonfirst.com) no later than **2:00 p.m.** on **March 29, 2022**. Questions will be answered collectively, rather than individually, in the form of a Letter of Clarification made available online at [www.houstonfirst.com/do-business](http://www.houstonfirst.com/do-business).

**PURPOSE & OVERVIEW**

Houston First Corporation (“HFC”) requests responses from persons and entities (each a “Respondent”) interested in leasing retail space fronting on Avenida de las Americas located in the George R. Brown Convention Center for the operation of an upscale convenience store.

HFC seeks an experienced tenant whose c-store concept will include organic and gourmet groceries, prepared foods and emerging brands, as well as more traditional convenience store offerings.

Avenida Houston is the entertainment district centered on Avenida de las Americas in downtown Houston, Texas. Encompassing the George R. Brown Convention Center, Discovery Green, Minute Maid Park, Toyota Center, Hilton Americas-Houston, and Marriott Marquis Houston, the area features a unique and exciting array of dining options, nightlife, concerts, and events. (See <https://www.avenidahouston.com/>).

HFC envisions that a bright and welcoming convenience store will further HFC's goal of establishing Avenida Houston as an iconic, high-energy gathering spot for residents and visitors.

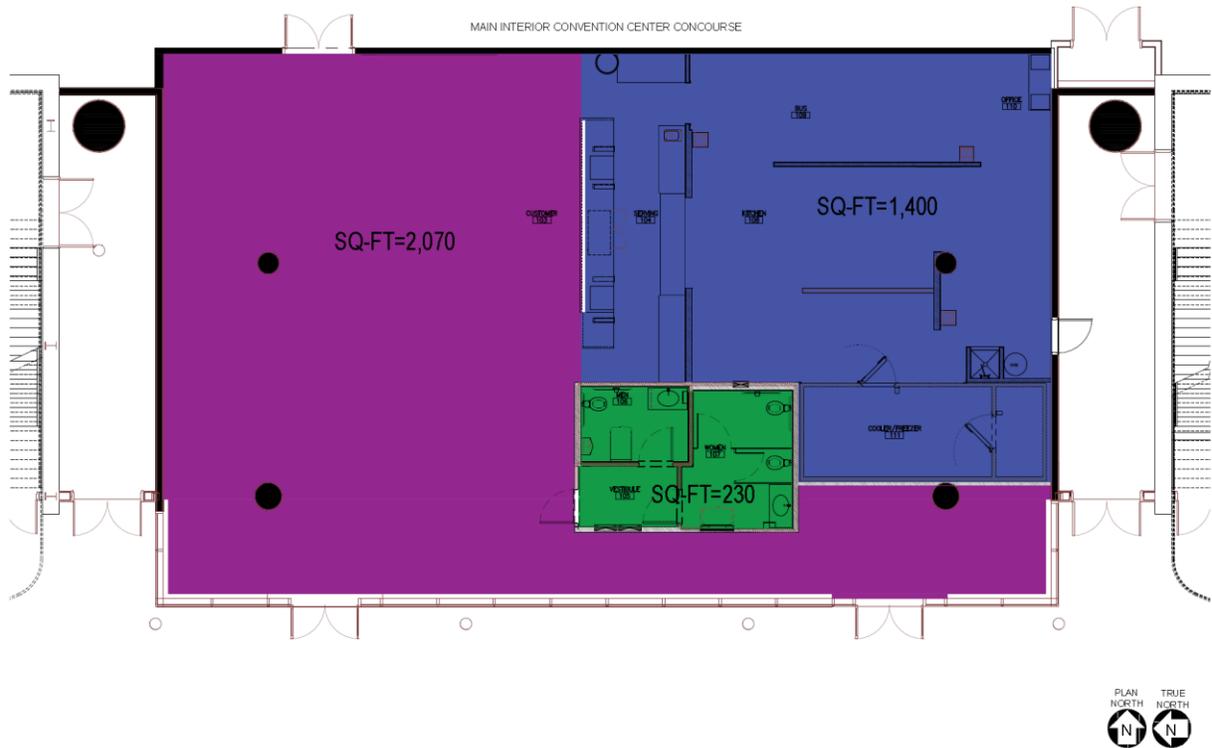


Fig. 1. Floorplan of existing space

## BACKGROUND

HFC is a local government corporation created by the City of Houston to facilitate economic growth through the promotion of the greater Houston area and the business of conventions, meetings, tourism, and the arts. HFC manages and operates more than 10 city-owned facilities, including the George R. Brown Convention Center, Wortham Theater Center, Jones Hall for the Performing Arts, Miller Outdoor Theatre, Theater District Parking Garages, Partnership Tower, Avenida North Parking Garage and Avenida Central Parking Garage.

## PRE-SUBMITTAL MEETING

A Pre-Submittal Meeting will be held for the benefit of all prospective Respondents by video teleconference call at **10:00 a.m.** on **March 22, 2022**. Respondents who expect to attend must register in advance by clicking [here](#); further instructions for joining the meeting will be sent to each registrant. An in-person site tour is expected to follow the meeting, and the possibility of an additional opportunity to tour the site will be discussed. Although attendance at the meeting is not mandatory, all prospective Respondents are encouraged to attend.

## **CONCEPT PARAMETERS AND MINIMUM QUALIFICATIONS**

Respondents considering submission of an expression of interest are advised of the following:

- All expenses for build-out, opening, maintaining and operating the c-store will be the responsibility of the tenant.
- Tenant will be required to pay for a common area maintenance charge to HFC monthly, and will be billed back for utility costs.
- Tenant will be required to pay monthly base rent plus a percentage of gross sales over a break-point, to be determined.
- Respondents must have significant experience in the management and operation of convenience stores, including buildout.

## **RESPONSE FORMAT**

Respondents are asked to prepare and submit an expression of interest, in a letter format, incorporating the following to the best of their ability:

- Experience: Provide a brief description of Respondent's experience in operating similar c-stores, including current locations, concept, and years in operation.
- Concept: Provide a brief description of the concept that Respondent would propose for the Avenida c-store site, including the name, branding, style and overview of offerings.

All information provided by Respondents should be organized, clear and concise. As HFC values substance over form, Respondents are asked to avoid excessive graphics, title pages, or other extraneous information in their submittal other than requested by HFC.

## **EVALUATION**

HFC will review and consider each submittal in the manner provided herein for the purpose of identifying those with whom HFC desires to engage further in discussions. HFC will review and evaluate responses received based on the following weighted criteria: Experience (60 points), and Concept (40 points).

HFC expects and reserves the right to interview top-ranked Respondents and may request more detailed operational plans, in-depth evidence of financial capability, and/or a preliminary term sheet or proposal prior to, as part of, or subsequent to such interviews.

If interviews are conducted, then up to 30 additional points may be added by an evaluation to the existing scores of the top-ranked Respondents, for a maximum possible total of 130 points, based on the supplemental information provided by the Respondent team and their overall responsiveness during the interview process.

HFC reserves the right to select or reject all or part of any response, waive minor technicalities, and pursue more detailed or alternate proposals from one or more Respondents in the manner and to the extent that they serve the best interests of HFC. This solicitation does not commit HFC to award a lease or other contract. HFC reserves the right to reject any or all responses or cancel the entire process. All costs and expenses incurred in providing a response or otherwise participating in the process shall be borne solely by each Respondent.

### **DIVERSITY PARTICIPATION**

Although HFC has not established a Diversity Goal for this Food-and-Beverage Request for Expression of Interest, Respondents are advised that a Diversity Goal of **24%** will apply to tenant build-out. Additionally, all Respondents should review and be familiar with the requirements of the HFC [Diversity Program](#).

### **LETTERS OF CLARIFICATION**

Responses to all material questions timely submitted by potential Respondents, as well as revisions incorporated into this solicitation by HFC, if any, will be confirmed collectively in one or more letters posted online at [www.houstonfirst.com/do-business](http://www.houstonfirst.com/do-business) (each "Letter of Clarification"). When issued, each Letter of Clarification will become part of this solicitation and automatically supersede any previous specifications or provisions in conflict therewith. By delivering their submittal, Respondent shall be deemed to have reviewed all Letters of Clarification on the website and incorporated them into their submittal. Verbal responses will not otherwise alter the specifications, terms and conditions as stated herein. It is the responsibility of Respondents to monitor the foregoing website and ensure they review any such Letters of Clarification and incorporate them in their submittal.

### **VENDOR CODE OF CONDUCT**

Respondents who do business or seek to do business with HFC are expected to interact with HFC with high ethics and integrity. To promote ethical conduct by its existing and potential contractors, HFC has adopted a Code of Conduct for Vendors, available online at [www.houstonfirst.com/do-business](http://www.houstonfirst.com/do-business). HFC requires that all Respondents be familiar with and abide by the Code of Conduct for Vendors.

### **RESTRICTIONS ON COMMUNICATIONS**

Throughout the selection process, commencing with the Issue Date, save and except the HFC Purchasing Agent, HFC General Counsel, potential Respondents are directed not to communicate, directly or indirectly, with any HFC employee, officer, director, or selection committee member regarding their submittal, or any matter relating to this solicitation, other than through [bids@houstonfirst.com](mailto:bids@houstonfirst.com). Respondents are solely responsible for observation and compliance with such restrictions, and HFC reserves the right to reject any submittal due to violation of this provision.

### **CONFLICTS OF INTEREST**

Respondents are advised that they have an affirmative obligation to disclose any affiliation or business relationship with an HFC employee, officer, or director creating a

conflict of interest (or appearing to a reasonable person to potentially exist). Those who need the disclosure form may find it online at <http://www.ethics.state.tx.us/forms/CIQ.pdf>. By delivering a submittal in response to this solicitation, Respondents represent to HFC that they have complied with the requirements of Chapter 176 of the Texas Local Government Code.

### **PUBLIC INFORMATION**

HFC is subject to the Texas Public Information Act ("TPIA"). Information submitted by Respondents is subject to release under the provisions of the TPIA set forth in Chapter 552 of the Texas Government Code. Each page where confidential or proprietary information appears must be labeled as such clearly and unambiguously. Respondents will be advised of any request for public information that implicates their materials and may, in accordance with applicable law, elect to assert objections to disclosure with the Texas Attorney General at their cost and expense.

### **PROTEST PROCEDURES**

Any protest relating to the form, terms and conditions, selection criteria, specifications, exhibits, or any other material solicitation content must be filed by the actual or potential Respondent with the Purchasing Agent no later than five business days prior to the Submission Deadline. If the protest consists of a dispute regarding the Respondent recommended by a selection committee, or otherwise relates to the alleged misapplication of selection criteria, then the Purchasing Agent must receive the protest from an actual Respondent after the Submission Deadline, but at least three business days prior to consideration of a contract resulting from this solicitation by an HFC committee or Board of Directors, whichever is earlier.

All protests must be made in writing and delivered to Houston First Corporation, Attn: Purchasing Agent, 701 Avenida de las Americas, Ste. 200, Houston, TX 77010. To be considered by HFC, protests must be timely received and include, at a minimum, all of the following information: (a) The name, address and contact information of the Respondent, with sufficient information to establish that a bona fide Respondent is the person or entity filing the protest; (b) The full title of the solicitation; (c) Material grounds for the protest, including the provisions of the solicitation and the applicable law or regulation that serves as the basis for the protest; (d) A statement of the specific relief requested by the Respondent; (e) Reference to and attachment of any pertinent documents or sources relied upon by the protestor that the protestor wishes to have HFC consider; and (f) An affidavit attached to support any factual allegations stated in the submission. The Purchasing Agent will notify the Respondent promptly to acknowledge receipt of a protest.

### **WITHDRAWAL OF SUBMITTAL**

To withdraw a submittal due to an error or any other reason, a written request from the Respondent must be received at [bids@houstonfirst.com](mailto:bids@houstonfirst.com) prior to the Submission Deadline.