

CITY OF DAVID CITY, NEBRASKA
REQUEST FOR PROPOSALS
FOR
PURCHASE AND REDEVELOPMENT / REHABILITATION
OF
PROPERTIES LOCATED AT
715 NORTH FOURTH STREET, DAVID CITY, NEBRASKA

November 1, 2020

The City of David City, Nebraska ("City") is requesting from qualified and interested persons and companies (collectively, "Respondents") proposals for the purchase and redevelopment of the properties located at 715 North Fourth Street, David City, Nebraska (the "Properties").

Facility Description

The Properties are two adjacent parcels (#120000245 and #120000238) near the center of David City, Nebraska. One parcel is occupied by a single-family home that is listed on the National Register of Historic Places as the Chauncey S. Taylor House and in need of substantial repair and renovation (the "Taylor House"). The second parcel is an adjacent, vacant parcel, which could be incorporated with the other parcel or developed separately.

Proposals Sought

The City is seeking a buyer or buyers for the Properties. The successful bidder must propose and undertake a project or projects that maintain and enhance the historic nature and context of the Properties, and particularly the Taylor House. The City will enforce these requirements through deed restrictions and other means.

The successful Respondent must finance the purchase and redevelopment themselves. The City will review proposed financing for suitability and feasibility. The City will also use its reasonable best efforts to support financing options at no cost to itself and with no obligation for the Planning Commission or City Council to vote any certain way.

The City desires to see the Properties developed and redeveloped for commercial use that will benefit the City and its residents through increased activity and tax revenue. A Respondent may seek to purchase only one of the two parcels, but a proposal to purchase both is strongly preferred.

Proposal Information

To be considered, a Respondent shall provide three (3) copies of the proposal to the City offices, c/o Mr. Clayton Keller, City Administrator, 557 4th Street, P.O. Box 191, David City, Nebraska, 68632 on or before 4:00 p.m. Central Standard Time on

December 15, 2020. Respondents shall submit all proposals in opaque sealed envelopes marked on the exterior with the following legend: "Proposal to Purchase 715 Fourth Street Properties."

City personnel and City consultants will evaluate the proposals. The City reserves the right to choose the bid that is most advantageous to the City and can reject any and all responses for any reason at its sole and absolute discretion, without obligation of any kind to any Respondent(s).

Upon completion of the evaluation, the City will attempt to negotiate a purchase with the selected Respondent. In making that determination, the evaluation committee will consider the following criteria:

- Experience in redeveloping historic properties;
- Financial resources and financing proposal;
- Reuse and renovation proposal;
- References; and
- Other criteria as the evaluation committee may determine at its sole discretion.

If the City, in its sole and absolute discretion, is unable to negotiate a purchase with the selected Respondent, or if it determines no responses are satisfactory in the first instance, it may proceed in any manner it sees fit.

Site Visit

Qualified Respondents who intend to submit a proposal shall be allowed to tour the Properties prior to submitting a proposal. Respondents may schedule one tour by contacting Mr. Keller at the City offices during regular business hours. City representatives will be available to answer questions about the Properties, but any questions and answers will be available to other potential Respondents and the public.

Requirements for Proposals

All proposals shall contain at least the following information. Please organize the information in the order below to assist in review of the proposals. Please present the proposals in binder or other format that allows for easily removing pages for photocopying. Respondents may include other information that would be helpful to the evaluation committee, but photocopies of large volumes of generic information are strongly discouraged. Failure to provide the requested information or submission of an incomplete or nonresponsive proposal may result in the rejection of the proposal.

1. Respondent Profile. Include Respondent name, address, contact person, telephone and facsimile numbers and e-mail addresses. Provide the type of entity (e.g., individual, corporation, limited liability company) and state where organized. Provide a brief description of the relevant history of the Respondent,

number of years in business, business location, number of employees and other background information regarding the Respondent that would be helpful in evaluating the ability of the Respondent to successfully redevelop the Properties.

2. Financial Information. Furnish a copy of the Respondent's most recent audited or CPA-reviewed financial statements, if available. If audited or CPA-reviewed financial statements are not available, please provide copies of the most current internally prepared financial statements certified by an officer of the Respondent as being materially accurate. Financial information of Respondents not selected will be returned upon request. The City may destroy proposals at its sole and absolute discretion on or after April 1, 2021.
3. Resumes. Furnish resumes or other similar declarations of relevant education and experience of the principal(s) of the Respondent.
4. Historic Property Redevelopment Experience. Please set forth a detailed description of the plans for redevelopment and reuse of the Properties. Describe how the Respondent plans to redevelop and rehabilitate the Properties, including a reasonably detailed timeline and financing proposal. Describe how the Respondent plans to use the Properties after redevelopment and rehabilitation. Please state whether the Respondent has ever redeveloped a historic property, and if so, provide details regarding such project(s).
5. References. Please provide at least three references. One reference should be from a bank or financial institution. The other references may include people associated with previous relevant projects the Respondent has completed.
6. Purchase Proposal. Please state the purchase price and terms under which the Respondent proposes to purchase the Properties. The City will not and cannot directly finance the purchase. For reference, the City has spent approximately \$110,000 to acquire the Properties. This number is not a mandatory minimum bid, but the City is unlikely to look favorably on proposals to purchase the Properties for significantly less than this amount.
7. Timeline and Schedule. Include a detailed proposed timeline and schedule for the proposed redevelopment and rehabilitation project. This timeline and schedule should include all necessary steps to finance, entitle and construct the project. The City understands real estate development involves uncertainties and delays, and the proposed timeline and schedule may therefore include appropriate caveats and contingencies.

Additional Considerations

Proposals should provide straightforward and concise descriptions of the Respondent's ability to satisfy the requirements of this RFP. The proposal must be complete and accurate. Omissions, inaccuracies or misstatements may cause the City to reject a proposal, in the City's sole and absolute discretion. The City may reject a

proposal if it is conditional or incomplete, or if it contains alterations of forms or other irregularities, or for any other reason.

Non-Disclosure and Disclosure of Proposals

The City will hold proposals in confidence as protected from disclosure as confidential business information during the evaluation process until City staff issues a Notice of Intent to Award the selected proposal. Thereafter, all proposals will be treated as documents subject to disclosure under the Nebraska Public Records Law (Neb. Rev. Stats. §§ 84-712, et seq.).

If a Respondent believes any portion of its proposal contains confidential or proprietary information, exempt from public disclosure under law, the Respondent must submit that information with its proposal in a separate sealed envelope labeled "Confidential Information." Except as compelled by court process, the City will not release any such documentation claimed to be exempt from disclosure that is submitted in said manner without prior written notice to the Respondent.

In exchange, the Respondent agrees to indemnify, defend and hold harmless the City, and its officials, employees, representatives, and agents, from any and all claims or actions related to the Respondent's proposal and this RFP.

Selection

The City will rank each proposal based on the merit of the entire proposal. City staff presently anticipates making a contract award recommendation to the City Council at a regularly scheduled meeting in January 2021. Notice of Intent to Award the contract will be issued at least ten (10) calendar days prior to the City Council meeting at which contract award is considered. Actual award of the contract is contingent upon City Council approval and successful negotiation of an appropriate purchase and sale agreement and supporting and related documents.

Reservation of Rights

Notwithstanding anything to the contrary in this RFP, the City reserves the right to reject any or all proposals and to re-issue this RFP in its sole and absolute discretion. The City may waive any minor informalities or irregularities in any proposal that are immaterial and inconsequential in nature. The City reserves the right to request additional written or oral information from a Respondent to clarify its proposal.

All proposals become the property of the City once submitted. All costs associated with development of the proposal shall be the sole responsibility of the Respondent and shall not be charged or chargeable in any manner to the City.

The City acquired the Properties by eminent domain, pursuant to, among other things, Nebraska Revised Statutes section 76-710.04(3)(g), which allows a party

acquiring property by eminent domain to use such property for economic development purposes, including conveying it to a private party for redevelopment as a private, property tax generating use, if the party acquiring such property has made a finding of blighted and substandard conditions pursuant to the Community Development Law (Neb. Rev. Stats. §§ 18-2101, et seq.). The City made such findings prior to acquiring the Properties. Respondents acknowledge these facts and waive any rights or remedies against the City in the event of any challenge to the validity of the City's acquisition, ownership or disposition of the Properties.