

REQUEST FOR PROPOSALS TO PURCHASE REAL ESTATE

The Goshen Redevelopment Commission (herein after referred to as “Redevelopment”) is requesting proposals to purchase two (2) parcels of real estate on West Monroe Street in Goshen Indiana.

Real Estate and Structure to be Purchased

The Real Estate for sale and development are parcel numbers 20-11-09-459-004.000-015 and parcel number 20-11-09-459-003.000-015 more particularly described as follows:

Parcel #20-11-09-459-003.000-015:
BARNES 2ND W 43 FT LOT 92 VAC 6FT MONROE ST ADJ IN SIDE EX .26A

Parcel #20-11-09-459-004.000-015:
BARNES 2ND E 32FT OF W 75FT LOT 92 VAC 6FT MONOORE ST
ADJ N SIDE EX .004A

There are no structures on the real estate. A map showing the two parcels is attached as Exhibit A. Redevelopment seeks to sell the two parcels as a single residential development lot. The two parcels need to be combined into a single residential lot.

A proposal must describe in detail the intended use and development of the parcels. The sale of the parcels will be conditional upon the development of the parcels in accordance with the development plan described in the proposal.

A proposal may be conditional upon the City of Goshen granting of specific itemized zoning variances or rezoning.

Submission of Proposal

Any proposal to purchase the parcels of real estate shall be submitted to Mark Brinson, Community Development Director at 204 East Jefferson Street, Suite 6 Goshen, Indiana 46528-3405, no later than 12:00 p.m. (noon) on January 12, 2021.

The proposal shall address all issues contained in the Request for Proposals. Any exceptions to the terms of the Request for Proposals should be clearly noted. The proposal shall be submitted in a sealed envelope clearly marked as a Proposal to Purchase the Monroe Street Real Estate. The proposal shall contain the name, address and telephone number of the person or entity submitting the proposal.

Redevelopment reserves the right to waive any informalities or irregularities in the selection process. Mark Brinson may be contacted to answer any questions; however, any oral communication will be considered unofficial and non-binding.

This Request for Proposals does not commit Redevelopment to sell the real estate. Redevelopment reserves the right to accept or reject any or all proposals received, to negotiate with qualified persons or entities who submit a proposal, or to cancel the Request. Redevelopment may require a person or entity submitting a proposal to submit any additional data or information Redevelopment deems necessary.

Redevelopment may request a person or entity submitting a proposal to revise one (1) or more elements of its proposal in accordance with contract negotiations. Redevelopment reserves the right to evaluate proposals for a period of sixty (60) days before deciding which proposal, if any, to accept. The terms offered in any proposal shall be maintained through the evaluation period.

In determining the highest and best proposal, Redevelopment will consider the following factors:

1. The experience, the financial capacity and the organizational capacity of the entity submitting the proposal to successfully plan, construct and complete the proposed development.
2. The overall quality of the submission and the extent to which the proposed development is compatible with the existing neighborhood.
3. The entity's ability to make the proposed improvements with reasonable promptness.
4. The proposed completion date for the project.
5. The size and character of the improvements proposed to be made by the entity submitting the proposal.
6. Whether adequate parking for the development is included in the plan.
7. The proposed purchase price to be paid to Redevelopment.
8. Whether the entity submitting the proposal is a trust and whether the submission identifies the beneficiary of the trust and whether the settlor is empowered to revoke or modify the trust.
9. The nature of any variance or rezoning requested.

If no offers are received by January 12, 2021 that equal or exceed Eleven Thousand Two Hundred Dollars (\$11,200.00). Redevelopment may select a proposal offering less than Eleven Thousand Two Hundred Dollars (\$11,200.00) but only after Redevelopment accepts additional proposals until Monday, February 15, 2021 at 12:00 p.m. (noon). Any proposal submitted after January 12, 2021 must be submitted to Mark Brinson Community Development Director at 204 East Jefferson Street, Suite 6, Goshen IN 46528, no later than February 15, 2021 at 12:00 p.m., (noon). All proposals will be opened at the Goshen Board of Public Works and Safety at the February 15, 2021 2:00 p.m. meeting at the Police and Court Building located at 111 E. Jefferson Street, Goshen, Indiana. Any proposal received by the Board of Works will be forwarded to the Redevelopment Commission's staff for

consideration and review by the Redevelopment Commission. After accepting proposals for the additional period, Redevelopment may select the highest and best proposal using the criteria set forth in this Request for Proposals with no minimum price.

Some or all of the entities submitting a proposal may be requested to discuss their proposals with the Commission or Redevelopment's staff. Entities submitting proposals may be asked to respond to additional questions. Redevelopment staff will make a recommendation to the Commission as to which proposal, if any, should be selected. Redevelopment may select a proposal after considering the staff recommendation and the criteria described in this proposal.

A development agreement will be negotiated by Redevelopment's staff and the entity submitting the selected proposal. The negotiated agreement will be presented to Redevelopment for approval.

Obligations of Entity Submitting a Proposal

The entity submitting the selected proposal must agree to each of the following:

1. The proposed development will be constructed in compliance with all Indiana Building Codes, City of Goshen Ordinances, Policies, and Standards, including Zoning Ordinances, Subdivision Standards, Landscaping Ordinances, Construction Site Stormwater Runoff Control Ordinances and Post Construction Stormwater Management Ordinances.
2. The parcels may not be used in a manner that would be reasonably offensive to the owners or users of neighboring real estate or would tend to create a nuisance.
3. The selected entity will construct any needed water building lines, sewer building lines and storm water facilities for any structure constructed on the real estate parcels.
4. The selected entity will be required to enter into a purchase agreement incorporating the terms of this Request for Proposals, the terms included in the successful proposal and other provisions negotiated by Redevelopment's staff and the entity submitting the proposal.
5. Any entity submitting a proposal may condition the proposal upon receiving variances or re-zoning.
6. The selected entity will construct sidewalks built to City specifications adjacent to the parcels along all dedicated public streets.

Any expense incurred by the entity submitting the successful proposal to meet the above requirements will be paid by the entity submitting the proposal.

Instructions for Submitting Proposals

Requests for Clarifications and Addenda

1. Entities intending to submit proposals who have questions should contact Mark Brinson, Community Development Director.
2. All requests for clarification to this solicitation must be received at least one (1) week before the proposals opening date to allow for the issuance of any addendums determined by Redevelopment's staff to be necessary. An entity may rely only on written addenda issued by Mark Brinson, Community Development Director. Requests shall be made in writing and may be directed to:

Mark Brinson, Community Development Director
City of Goshen Redevelopment Commission
204 East Jefferson Street, Suite 2
Goshen, Indiana 46528
Telephone: (574) 537-3824
E-Mail: markbrinson@goshencity.com

3. Interpretations or clarifications determined necessary by Redevelopment staff will be issued by mail, e-mailed, faxed or otherwise delivered to all parties recorded by the Redevelopment staff as having received the proposal documents. Only questions answered by formal written addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.

Trusts

In accordance with Indiana Code 36-7-14-22. A proposal submitted by a trust (as defined by Indiana Code 30-4-1-1) must identify the beneficiary of the trust and indicate whether the settlor is empowered to revoke or modify the trust.

Preparation and Submission of Proposals

An entity submitting a proposal must submit the following items:

1. Cover Letter.
A cover letter on the entity's company letterhead (if applicable) submitted and signed by a person authorized by the entity to submit and sign the proposal. The cover letter shall include the following:

- a) The entity's name, address, and telephone number;
- b) The name of the person authorized to submit/sign the proposal, his/her title, telephone number and e-mail address;
- c) The entity's Federal ID number if any; and
- d) The entity's State ID number if any.

2. Financial Information.

A financial statement that is specific enough so that a proper determination can be made of the entity's financial capability to complete the project.

3. Project Proposal Conceptual Explanation.

A conceptual explanation of Project Proposed including:

- a) A plan with as much detail as possible, including land uses, building designs, building elevations and a description of how the development complements and interacts with the surrounding area.
- b) All structural improvements to be made to the real estate including new structures to be constructed on the real estate.
- c) A description of the components of the development plan that includes information about the building design, size, density and amenities.
- d) A project budget including estimated soft costs and construction expenses.

4. Schedule.

A proposed timeline for the development of the real estate, including any conditions that must be met before the proposal can be commenced. The schedule should include:

- a) Time needed to obtain financing.
- b) Land use approvals.
- c) Design completion.
- d) Site preparation.
- e) Start and completion of construction.

5. Price.

Price to be paid for the purchase of the real estate.

6. Proposals.

- a) All proposals shall be submitted in a sealed envelope. No facsimile or email submission will be accepted. The envelope must be labeled with the submitting entity's name and address; and the words "Monroe Street Real Estate Proposal"
- b) If a proposal is sent through the mail or other delivery system, the sealed envelope shall be enclosed in a separate envelope with the notation "Monroe Street Real Estate Proposal Enclosed" on the face of the outer envelope.
- c) Proposals shall be filed with Mark Brinson, Community Development Director, City of Goshen Redevelopment Commission, 204 East Jefferson Street, Suite 2, Goshen, Indiana 46528.
- d) Any entity wishing to make a proposal to purchase the real estate offered for sale must submit their sealed, written proposal to Mark Brinson no later than Tuesday, January 12, 2021 at 12:00 p.m. local Goshen time, unless no qualifying proposal is submitted to Redevelopment.
- e) If no qualifying proposals are received on January 12, 2021 additional proposals will be accepted by Mark Brinson until 12:00 p.m. on February 15, 2021.
- f) All proposals submitted become the property of the City and are a matter of public record.
- g) Commission is not responsible for late or lost proposals due to mail service inadequacies, traffic or other similar reasons. Proposals received after the designated time will not be considered in the selection process.
- h) Commission reserves the right to accept or reject any or all proposals and to waive informalities or irregularities in the selection process.
- i) Proposals shall be submitted as follows: At least one hard copy of any proposal must be submitted to Redevelopment by the entity submitting the proposal.
- j) Any modifications made to a proposal before submission must be initialed in ink by the submitting entity's authorized representative. A submitting entity may, upon written request, modify or withdraw their proposal at any time prior to the opening date and time. A request to modify or withdraw a proposal must be signed by the same person or persons who signed the original proposal submitted. No proposal may be modified or withdrawn after the opening of the proposal without the agreement of Redevelopment.

Opening of Proposals

The proposals received will be opened in public by Redevelopment at the Redevelopment Commission meeting on January 12, 2021 at 3:00 p.m. in the City Courtroom / Council Chambers located at 111 East Jefferson Street, Goshen, Indiana. If no proposal meets the minimum offer price additional proposals will be received until 12:00 (noon) on February 15, 2021 and will be opened by the Goshen Board of Public Works and Safety on February 15, 2021 at 2:00 p.m.

General Terms and Conditions

Conflict of Interest / Non-Collusion

- a) All submitting entities must certify that the entity has not entered into a combination or agreement relative to the price to be proposed nor has taken any action to prevent or dissuade a person from submitting a proposal.
- b) The submitting entity's proposal is made without reference to any other proposal unless specifically indicated in the proposal.
- c) All submitting entities certify that they are not in a situation where the submitting entity's private interest would interfere with its loyalty or responsibilities to Redevelopment or raise questions about such interference. The submitting entity agrees not to accept work, enter into a contract, accept an obligation or engage in any activity, paid or unpaid, that is inconsistent or incompatible with the submitting entity's obligations, or the scope of services to be rendered to Redevelopment. The submitting entity shall warrant that, to the best of their knowledge, there is no other contract or duty on the submitting entity's part that conflicts with or is inconsistent with the services sought to be provided to Redevelopment.
- d) Before a proposal may be accepted, the entity must sign and have notarized the Conflict of Interest / Non-Collusion Affidavit.

Applicable Laws.

Any contract resulting from a proposal submitted will be construed in accordance with and governed by the laws of the State of Indiana.

Costs for Submitting Proposal

Redevelopment will not be liable for any costs incurred by the respondents in replying to this Request for Proposals. Redevelopment is not liable for any costs

for work or services performed by the selected Proposer prior to the award of a contract.

Authority to Bind Submitting Entity.

The signatory for the entity submitting a proposal represents that he or she has been duly authorized to execute the proposal documents on behalf of the submitting entity and has obtained all necessary or applicable approvals to make this submission on behalf of entity when his or her signature is affixed to the proposal.