

# **REQUEST FOR PROPOSALS**

## **Valparaiso Transit Area Development Project**

### ***I-Overview***

This Request for Proposals (“RFP”) is issued by the Valparaiso Redevelopment Commission (“Commission”) in coordination with the City of Valparaiso (“City”) and consistent with Indiana Code § 36-7-14-22. As part of the expansion and relocation of its successful Chicago commuter bus service (“[ChicaGo DASH](#)”), the Commission acquired property located at and around 260-360 South Campbell Street (“Redevelopment Area”). The Redevelopment Area has been divided into four (4) contiguous buildings (Buildings A, B, C, and D) and (3) contiguous parcels (E, F, & G) plus one additional parcel north of the Redevelopment Area (Parcel H) as shown on **Exhibit A**. Altogether, the real estate includes approximately 125,000 square feet of building and 27 acres of land, all within a 3-block walking distance of Valparaiso’s downtown.

Proposals are invited to acquire and develop existing buildings and parcels listed within this RFP. Respondents may propose to acquire and develop all or less than all, of the buildings and parcels; however, it is the Commission’s stated preference to sell all the Buildings and Parcels together as part of a unified development.

### ***II-Background***

In 2007, the City and Commission, with the assistance of the [Northwest Indiana Regional Development Authority](#) (“RDA”) and [Northwest Indiana Regional Planning Commission](#) (“NIRPC”) established a commuter bus service, the ChicaGo DASH, from Valparaiso, Indiana to Chicago, Illinois. What began as two daily buses doubled to four buses with a current average daily ridership of 120. With this ridership, the ChicaGo DASH outgrew its former parking lot.

In 2017, based on this need for additional parking and plans to add two buses in 2019, the Commission acquired the Redevelopment Area to expand parking and spur redevelopment in an underused area. The Commission, working with engineering, architectural and environmental consultants, is in the process of preparing the Redevelopment Area for private sector investment that complements existing transit activities and Valparaiso’s downtown.

### ***III-Valparaiso and its Vibrant Downtown***

Valparaiso has been named a “Community of the Year” by the Indiana Chamber of Commerce and Valparaiso’s active local Chamber of Commerce has been given the statewide award “Chamber of the Year” on three separate occasions since 2005.

In addition to statewide recognition of our City and Chamber, Valparaiso is also home to Valparaiso University and Ivy Tech Community College, which are regionally and nationally recognized institutions of higher education. In fact, Valparaiso University has been ranked in the Top 10 of regional universities in the Midwest since 1990, and is nationally recognized for its College of Engineering and College of Nursing. In addition to these institutions, Valparaiso’s community schools are also ranked 11<sup>th</sup> out of 326 school districts in the State by the US Department of Education.

Over 33,000 residents call Valparaiso home and the community is growing. An example of this growth can be found in private investment and residential construction: between 2016-2017, housing starts and overall building permits increased by 40% and the total value of private investment exceeded \$124 million. The City serves this growing population through municipal transportation, including several local bus routes that see over 11,000 riders per month and a successful bikeshare program that was launched in the summer of 2017.

Beyond numbers and statistics, one aspect that has distinguished Valparaiso regionally is the vibrancy of its downtown, which is home to 16+ distinct (non-chain) restaurants, an array of retail offerings, and community gathering spaces. Central Park Plaza Porter Health Amphitheater, and the William E. Urschel Pavilion have acted as regional magnets, hosting events and downtown activities including Shakespearian plays, farmer's markets, music concerts, food tastings and community movie nights. Valparaiso's most recent addition, the William E. Urschel Pavilion, includes a large enclosed area for year-round community events and a fully operational ice skating rink for winter activities. In the ice skating rink's first year of operation, the number of likely skaters was estimated by the City's operations consultant to be around 15,000, but exceeded 45,000 skaters and has continued to do so in succeeding years. In 2016, the American Planning Association named Valparaiso's Central Park one of America's "Great Public Places" for its 2.5-acre downtown park and pavilion.

Over the last few years, the City has witnessed a strong interest in downtown residential development. Almost all downtown residential space is in use and multiple projects are in stages of completion. The most recent residential project near Valparaiso's downtown is a 48-unit development that is under construction and has seen high demand. Valparaiso is also starting to experience development of existing residential structures; some including demolition and reconstruction and some including rehabilitation of older homes. Based on this housing market demand, there is a strong indication that homeowners are interested in being near Valparaiso's downtown.

#### ***IV-Redevelopment Area Development Requirements***

The Commission received a \$6.8 million grant from the RDA to support improvements to the ChicaGo DASH commuter bus service in the Redevelopment Area. With this grant, the Commission committed to the following:

- Construction of transit center facilities including a ticket office, waiting area, and restrooms
- Construction of 300+ parking spaces including lighting and video monitoring
- Construction of transit-downtown connectors to link parking to other downtown attractions.

Beyond these transit related commitments, the Commission and Respondents have the freedom to propose projects that enhance the Redevelopment Area. The Commission encourages creativity and boldness and is willing to consider innovative solutions and alternative ways to honor RDA commitments if a preexisting RDA commitment interferes with a good Proposal.

## ***V- Public Development Commitments***

Through local and state funds, the Commission is committed to spending over \$12 million to initiate the development of the Redevelopment Area. Elements of the Commission’s investments include:

1. Acquisition of properties
2. Demolition of unsafe or undesirable structures
3. Environmental cleanup of the Redevelopment Area and receipt of a “Comfort Letter” from the Indiana Department of Environmental Management
4. Creation of 300+ off-street parking spaces to serve commuters and new users of the area
5. Realignment and widening of South Campbell Street and Brown Street to provide for improved sidewalks, pedestrian connectors to the downtown, landscaping, and on-street parking
6. Creation of new public spaces for cycling, walking, and gathering
7. Incorporation of public art and historic narratives of the ANCO Redevelopment Area
8. Construction of a new transit center serving commuters

## ***VI- Commission Goals for Development***

### **Public Development**

When planning the Redevelopment Area, the Commission has the following collective goals:

1. Eliminate blighted and unsafe conditions
2. Support transit activities
3. Spur development that: i) enhances Valparaiso’s tax base and overall economy; ii) includes a residential component that complements existing and future transit activities; iii) includes creative repurposing of the existing buildings; and, iv) creates a destination location which encourages residents and visitors to spend time in Valparaiso
4. Provide adequate ingress and egress into the Redevelopment Area
5. Encourage an overall development of an area that is both connected to Valparaiso’s downtown yet is distinct. The City and Commission do not wish to replicate the existing downtown.

## ***VII-Real Estate Summary***

Real Estate Summary (See **Exhibit A** for real estate map)

<b>Property</b>	<b>Address</b>	<b>Estimated Area</b>
Building A	360 S. Campbell St.	25,000 SF
Building B	350 S. Campbell St.	57,000 SF
Building C	260 S. Campbell St.	28,000 SF
Building D	258 S. Campbell St.	15,000 SF
Parking Lot #1	Located north of Brown St. and east of Campbell	1.5 acres (140 spaces)
Parking Lot #2	Located north of Building C and D west of S. Campbell St.	0.5 acres (95 spaces)
Parcel E	Located north and west of Parking lot 2	17 acres
Parcel F	Located north of Parking Lot 1 and east of Campbell St.	2.5 acres
Parcel G	Located to the southeast of Brown and S. Campbell St. intersection	4 acres

### Zoning

Zoning in the Redevelopment area ranges from Central Place (CD), Light Industrial (INL), to Heavy Industrial (INH). Zoning is indicated for each building and parcel in **Section VIII**. To view a City of Valparaiso Zoning Map, click [here](#).

The City and Commission will work with the successful Respondent to potentially modify certain zoning requirements to meet the scope of the successful Proposal. If necessary, the Commission may also assist in seeking necessary rezoning and/or zoning variances. To review Valparaiso's Unified Development Ordinance, click [here](#).

### Utilities

The City provides water and sewer services to the Redevelopment Area. Northern Indiana Public Service Company ("NIPSCO") provides gas and electric services to the Redevelopment Area. All utilities are available on site.

### Environmental Conditions

The Commission has completed (and is scheduled to complete) certain environmental testing and remediation activity within the Redevelopment Area – details of which can be found [here](#). On February 1, 2018, the Commission submitted an application with the Indiana Environmental Development Agency ("IDEM") for a "Comfort Letter". A copy of the Commission's submittal can be found [here](#). The Commission, based on direction it has received from its consultant, expects to receive a positive response from IDEM with minimal land restrictions.

### Cost of Real Estate

Consistent with Indiana Code § 36-7-14-22(b), appraisals have been secured for Redevelopment Area. The following parcels are offered at the average of two appraisals:

Parcels: A-D: **\$1,356,000**

Parcel E: **available for negotiated lease**

Parcel F: **available for negotiated lease**

Parcel G: **\$150,000**

Parcel H: **\$671,950**

### ***VIII-Real Estate***

Below is an overview of the buildings, parking lots, and vacant parcels owned by the Commission. Where applicable, commitments to the RDA related to commuter parking and public transit have been referenced.

# Buildings

## Building A

Description: A one-story building attached to a three-story “tower”

Size: One-story building ~21,500 square feet  
Three-story tower ~3,500 square feet  
Total: ~ 25,000 square feet

Address: 360 South Campbell Street

Location: Southernmost building

Zoning: INH

## Tenants

1. Homenclature is a discount designer furniture store located in the primary one-story building. Information about the business can be found at: [www.myhomenclature.com](http://www.myhomenclature.com). There is potential that Homenclature may relocate their business within the next year.
2. The Levy Group operates industrial lab and testing services. Information about Levy can be found at: <http://levytechlab.com/>

## Vision

The current tenants provide retail and industrial services and the uses are not inconsistent with the City’s overall vision for the Redevelopment Area. While Homenclature may relocate their business to another location in Valparaiso, Levy Labs is not in default of their [lease](#). The Commission will assign the Levy Labs’ lease to the successful Respondent consistent with lease terms.

## Resources

Pictures, copies of existing leases, environmental reports, and other information on Building A can be found [here](#).

## Building B

Description: Two-story vacant building with large windows on both the first and second floor

Size: ~57,000 square feet

Address: 350 South Campbell Street

Location: Directly north of Building A, directly south of Buildings C and D

Zoning: INH

## Vision

The building has attractive, unique features, giving it character that lends itself to a variety of potential uses. The Commission envisions this building’s reuse as a regional magnet drawing residents, visitors and customers to Valparaiso. There is potential for this space to become a destination with uses related to agricultural tourism, a regional marketplace, maker’s space, educational space, a banquet center, concert venue, wedding venue, residential space and/or offices.

## Resources

Pictures, environmental reports, and other information on Parcel B can be found [here](#).

## Building C

Description: Two-story building with large windows on the top floor

Size: ~28,000 square feet

Address: 258 South Campbell Street

Location: Northwest building directly west of Building C and directly south of the [Coach USA](#) airport shuttle bus

Zoning: INH

## Vision

Because of the large windows facing woodlands to the northwest, the Commission believes this building has great potential as a wedding venue, banquet hall, restaurant, office space, or loft apartments.

## Resources

Pictures, environmental reports, and other information on Parcel D can be found [here](#).

## Building D

Description: Two-story vacant building

Size: ~15,000 square feet

Address: 260 South Campbell Street

Location: Northeast building located on the southwest corner of Brown Street and South Campbell Street, adjacent to the new Chicago commuter bus parking lot and Coach USA airport shuttle bus parking lot

Zoning: INH

## Vision

Because of the building's direct proximity to commuter parking lots, the Commission envisions redevelopment of this building as compatible with Chicago commuter bus services with uses like a restaurant, coffee shop, health club, hotel, and/or residential development.

## Resources

Pictures, environmental reports, and other information on Parcel C can be found [here](#).

# Parking Lots

## Parking Lot 1

Description: The parking lot currently provides commuter parking for the ChicaGo Dash.

Size: ~1.5-acres containing ~ 140 spaces.

Location: North of Brown Street and east of South Campbell Street

Zoning: CP

### **Vision**

The Commission would be willing to consider Proposals that would utilize this area under a negotiated lease and development agreement; however, the Commission is committed to providing a minimum of 300 commuter parking spaces in the Redevelopment Area as part of RDA grant funding requirements. Additionally, the lot will need to be improved to include landscaping, islands, and lighting.

### **Parking Lot 2**

Description: The parking lot currently provides parking for customers of Coach USA airport shuttle buses

Size: ~.5 acres containing ~ 95 parking spaces

Location: West of parking lot 1, south of Parcel F

### **Vision**

The Commission would be willing to consider Proposals that would utilize this area under a negotiated lease and development agreement, particularly development of buildings C and D; however, the Commission is committed to providing a minimum of 300 commuter parking spaces in the Redevelopment Area as part of RDA grant funding requirements. Additionally, the lot will need to be improved to include landscaping, islands, and lighting.

## **Water Tower**

Description: Built in 1932 by McClintic & Marshall with riveted construction. Coating samples show that the exterior coating is an alkyd system with a lead based primer.

Size: ~100 feet in height

Location: In a courtyard between buildings A and B

Zoning: INH

### **Vision**

If applicable, the Commission asks that Proposals outline their intended use of the water tower. Will it be demolished or improved? The Commission and City's preference is that the water tower remain. As part of a 2017 study conducted by HyettPalma, it was noted "the area's existing water tower should be saved and turned into an art piece that acts as a symbol of – and a beacon that draws people to – the area." According to the engineer's report, the estimated cost to demolish is \$75,000 and the estimated cost to paint and repair is \$230,000.

### **Resources**

The Commission received an engineering report assessing the water tower; a copy of the report is available [here](#).

# Parcels

## Parcel E

Description: This is a vacant parcel with a former concrete disposal area and woodland.  
Size: ~17 acres  
Location: North of Parking Lot 2 and west of South Campbell Street.  
Zoning: INH, INL

### Vision

This former concrete disposal area is being redeveloped for expanded parking and/or a transit center. The western portion of this parcel is woodland that, as currently planned, will be developed with a walking trail, an arboretum of native trees, and an elevated pedestrian/bike connector to downtown Valparaiso. This parcel could be developed in some public/private manner with the Commission for stormwater detention, parking, residential, public amenities and/or open space.

## Parcel F

Description: A vacant parcel with woodland and vegetation  
Size: ~ 2.5 acres  
Location: North of Parking Lot 1 and east of South Campbell Street  
Zoning: CP

### Vision

The Commission intends to use this property for additional ChicaGo DASH commuter parking and support facilities. This parcel could be developed in some public/private manner with the Commission for stormwater detention, parking, residential, public amenities and/or open space.

## Parcel G

Description: Nine residentially-zoned, vacant lots  
Size: ~4 acres  
Address: 255 ½ -359 Brown Street, 357 -451 South Campbell Street  
Location: South of Brown Street and east of South Campbell Street  
Zoning: CP

### Vision

Originally, these parcels contained nine (9) residential structures. All structures have been removed. The Commission intends to use part of this property to widen and reorient Brown and South Campbell streets and to provide on-street parking, parkway, and both pedestrian and bike facilities. It is estimated that 26% of land will be used to create wider streets and sidewalks, meaning that ~3.3 acres will be available for development. The Commission's planners suggest this parcel could be used for auxiliary parking and/or multi-family residential development for commuters.



## **Parcel H**

Description: Former ChicaGo DASH parking lot  
Size: ~1 acre  
Location: North of the Redevelopment Area and separated from the Area by railroad tracks.  
Zoning: CP

### **Vision**

Respondents are given the opportunity to offer a separate Proposal for Parcel H.

### **Limitations**

Parcel H is encumbered by a substantial underground sewer line that will limit development. A link to a map showing Parcel H and the sewer line can be found [here](#). In addition, due to requirements set by the RDA and commitments made by the City and Commission, any development of this parcel will need to address the parking needs of current and future property owners in the area while maintaining a transportation component.

## ***IX- Financial Incentives***

### **State Incentives**

IRTC -- The Redevelopment Area may qualify for the State of Indiana Industrial Recovery Tax Credit. Click [here](#) for a IRTC fact sheet, or visit the Indiana Economic Development Council (IEDC) [website](#) to view this, and other, Indiana incentives. In addition, depending on the proposed use of the Redevelopment Area and the jobs created, the State has historically offered:

HBI -- The Hoosier Business Investment Tax Credit which provides incentives to businesses to support jobs creation, capital investment and to improve the standard of living for Indiana residents. The non-refundable corporate income tax credits are calculated as a percentage of the eligible capital investment to support the project. The credit may be certified annually, based on the phase-in of eligible capital investment, over a period of two full calendar years from the commencement of the project. Click [here](#) for more information about the HBI program.

EDGE -- Payroll Tax Credits. The Economic Development for a Growing Economy (EDGE) Tax Credit provides an incentive to businesses to support jobs creation, capital investment and to improve the standard of living for Indiana residents. The refundable corporate income tax credit is calculated as a percentage (not to exceed 100%) of the expected increased tax withholdings generated from new jobs creation. The credit certification is phased in annually for up to 10 years based upon the employment ramp-up outlined by the business. Click [here](#) for more information about the EDGE program.

Interested Parties are encouraged to contact the Commission or the Indiana Economic Development Corporation (IEDC) for more information. To contact the IEDC, please email Matt Saltanovitz at [MSaltanovitz@iedc.IN.gov](mailto:MSaltanovitz@iedc.IN.gov)

### Local Incentives

The City and Commission have taken a creative and proactive approach to offering incentives on projects that: i) provide specific benefits to the community; ii) make both financial sense and pose minimal financial risk to the City and Commission; and, iii) demonstrate that “but for” the assistance, the project either cannot move forward or cannot move forward in a manner best suited for the community. It is not unusual for the City and Commission to focus on certain public aspects of a project (e.g roads, utilities, stormwater) and/or site-specific challenges (e.g demolition of pre-existing structures, environmental remediation, City required improvements) and correlate financial incentives to these items. The City and Commission expect input from the party requesting any incentive and justification for use of public funds. Tax Abatement, Tax Increment Financing and the use of the Commission’s discretionary TIF funds are the most common local economic development incentives available; however, the City and Commission have a successful history of using these “common tools” in uncommon and creative ways to maximize their value to the prospect. The City may also be willing to assist in issuing economic development bonds. In addition, other financing models that offer minimal risk to the City and Commission will also be considered if they provide the best opportunity for redevelopment of, and private investment in, the Redevelopment Area.

### ***X-Commission Development Support***

1. In the event that a Proposal is selected that needs rezoning or a variance(s), the Commission, if requested, will join with the Respondent submitting a petition to rezone or obtain the necessary variance(s).
2. If different Proposals are accepted for Parcels A, B, C, D, E, F, and G the Commission will, at its expense, have the parcels surveyed and legal descriptions prepared prior to the transfer of the parcels.
3. If the Commission approves multiple Proposals and the Respondents agree, the Commission will, if necessary, have the Redevelopment Area subdivided. If the parcels are developed separately, an access easement will be part of the subdivision to allow parcels shared access to South Campbell and/or Brown Street. Additional dedication of rights-of-way may be required as part of the subdivision process.

### ***XI-Preparation and Submission of Proposals***

The following is provided as guidance for the submittal of a Proposal

#### 1. Cover Letter

A cover letter on Respondent’s letterhead must be signed and submitted by a person authorized to submit and sign the Proposal. The cover letter shall include the following:

- a) A brief history and overview of Respondent and reason(s) for submitting their Proposal;
- b) The Respondent’s legal name, address, and telephone number;
- c) The name of the person authorized to sign and submit the Proposal, his/her title, telephone number and e-mail address;

- d) State of legal formation, ownership structure, and date of formation of Respondent (if applicable);
- e) The proposed purchase price and sales terms; and,
- f) any other relevant information about Respondent that Respondent wishes to disclose.

2. Development Team

A summary of the proposed development team that includes:

- a) Identity of development team members including planners, architects, engineers, general contractor and subcontractors that will be part of the Project Proposal;
- b) Biography of each member including their experience in developing similar projects;
- c) Description of the development team's green building, sustainable design and energy performance expertise;
- d) Whether the development team has or intends to form a corporation, a partnership, a joint venture or other type of business association to carry out the proposed development; and,
- e) any other relevant information about Respondent Development Team that Respondent wishes to disclose.

3. Financial Information

A financial statement and accompanying narrative description of that statement to show Respondent's financial capability to complete the Project Proposal and amount of financing necessary with the sources of such financing.

4. Project Proposal Conceptual Explanation

A conceptual explanation of Project Proposal including:

- a) A detailed plan for all buildings and parcels proposed to be purchased, 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 existing buildings (A-D) and/or new structures to be constructed;
- c) Project phasing indicating conditions that inform phasing design;
- d) A description of building design, size, and density;
- e) Description of amenities and economic value added to Valparaiso through the proposed development;
- f) Respondent's rationale for the Project Proposal. Why is this the best use for the property? Such may include market data, preliminary due diligence reports and other information that supports Respondent's Project Proposal; and,
- g) any other relevant information about the Project Proposal that Respondent wishes to disclose.

5. Schedule

A proposed timeline for the Project, including any conditions that must be met before the Proposal can commence. The schedule must include:

- a) Time needed to secure financing (if necessary)
- b) Design start and end dates
- c) Site preparation start and end dates
- d) Construction start and end dates

6. Price

Price to be offered for each parcel of real estate to which the Proposal applies and the proposed sales terms.

***XII-Proposal Evaluation Criteria***

The Commission aims to foster private development that offers the greatest community benefit and is consistent with the stated goals within this RFP. The Commission is empowered under Indiana law to accept a Proposal from the “highest and best” Respondent. In determining the best Proposal several factors will be considered.

A Proposal may include any commercial or residential use that will not adversely impact the surrounding area. The exact mix of uses, density and price will be up to the Respondent submitting the Proposal. In reviewing Proposals, and determining the best use of the Redevelopment Area, the Commission will consider the following factors:

Capacity

- 1. The ability of the Respondent to successfully plan and complete the proposed Project

Experience

- 2. The experience of the Respondent in successfully completing similar projects

Finances

- 3. The financial feasibility of the Proposal, including the Respondent’s ability to make improvements and financial investments with reasonable promptness
- 4. The amount of private investment
- 5. The purchase price to be paid to the Commission

Size and Scope

- 6. The number of parcels to be acquired and developed

Impact on the Public

- 7. The presence of public spaces and public infrastructure
- 8. The effect on area traffic
- 9. The incorporation of sustainable development
- 10. The presence of public art
- 11. Requests for additional public investment or incentives

### Character of Development

12. The character of proposed improvements
13. Continuity between buildings and parcels to make a unified development
14. Whether buildings will be rehabilitated or demolished
15. The level of consistency between the proposed development and the stated goals of the Commission

### Legal

16. If the Respondent submitting the Proposal is a trust, whether the submission identifies the beneficiary of the trust and whether the settlor is empowered to revoke or modify the trust
17. Factors required under Indiana Code § 36-7-14-22(f) and any other required by law

### Additional Considerations

The Commission prefers development that is unified, rather than disjointed. Therefore, preference is given to Respondents that can develop multiple buildings and/or Respondents who join to make a unified development Proposal. **Therefore, the Commission welcomes joint Proposals from two or more Respondents indicating how each separate development would complement the other(s) and how developments would be coordinated.**

Respondents may be requested to discuss their Proposals with the Commission or the Commission's staff and consultants. Respondents submitting Proposals may be asked to respond to additional questions and/or submit additional information. The Commission may also issue Addendums and/or Supplemental Requests to this RFP. Commission staff may make a recommendation to the Commission as to which Proposal(s), if any, should be considered. The Commission may select a Proposal after considering staff recommendations and the criteria described in this Proposal. Upon selection, the Commission may enter negotiations with the Respondent. The Commission reserves the right as provided by Indiana Code § 36-7-14-22(f) to reject any or all Proposals.

### ***XIII-Obligations of Respondent Submitting a Proposal***

The Respondent submitting the selected Proposal must agree to do each of the following at the Respondent's expense:

1. Construct the proposed development according to the proposed timeline and in compliance with all Indiana Building Codes and City of Valparaiso Ordinances, Policies and Standards, including Zoning Ordinances, Subdivision Standards, Landscaping Ordinances, Construction Site Stormwater Runoff Control Ordinances and Post Construction Stormwater Management Ordinances
2. Construct all needed water lines, sewer lines and stormwater facilities for each building and/or parcel purchased
3. Enter into a *Real Estate Purchase Agreement* incorporating the terms of the RFP, the terms included in the successful Proposal, and other provisions negotiated by the Commission and the Respondent(s)

4. Commit not to use buildings and/or parcels in a manner that would be reasonably offensive to the owners or users of neighboring real estate or would tend to create a nuisance
5. Dedicate additional right of way, if required, to meet applicable street requirements
6. Construct sidewalks built to City specifications adjacent to all dedicated public streets
7. Offer a plan for the water tower (if applicable)
8. Agree that it will use its “best efforts” to employ price competitive contractors, suppliers and vendors located within Northwest Indiana (Porter and Lake counties) with respect to the proposed project. In addition, Respondents will agree to purchase materials and supplies from price competitive suppliers and vendors located within Northwest Indiana (Porter and Lake counties). Upon request, Respondent shall provide the Commission an accounting of the project as to the: i) contractors and suppliers used; and, ii) “best efforts” used.

A comprehensive *Development Agreement* and other applicable documents will be executed with the Respondent(s) submitting the successful Proposal(s). Such *Development Agreement* will include minimum investment thresholds, deadlines to complete aspects of the Proposal, penalties for noncompliance and incentives to be offered by the City and/or Commission. The project is expected to begin by the summer of 2018.

#### ***XIV-Instructions for Submitting Proposals***

##### Submitting 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 Respondent’s name and address; and the words “Valparaiso Transit Area Development 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 “PROPOSAL ENCLOSED” on the face of the outer envelope.
- c) Proposals shall be filed with **Stu Summers, Executive Director, City of Valparaiso Redevelopment Commission, 166 W Lincolnway, Valparaiso, Indiana 46383.**
- d) All Proposals submitted become the property of the City and are a matter of public record.
- e) Any Respondent wishing to make a Proposal to purchase any or all of parcels of the real estate offered for sale must submit their sealed, written Proposal no later than **April 12, 2018, at 3:00 p.m.** local Valparaiso time.
- f) The 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 may not be considered in the selection process.
- g) The Commission reserves the right to accept or reject any or all Proposals and to waive informalities or irregularities in the selection process.

- h) Proposals shall be submitted as follows: three (3) bound copies and one (1) electronic copy on a thumb drive.
- i) Any modifications made to a Proposal before submission must be initialed in ink by the Respondent's authorized representative. A Respondent 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 Proposals.

#### Opening of Proposals

Consistent with Indiana Code § 36-7-14-22(e), the Proposals received will be opened in public by the Commission's Executive Director on **April 12, 2018** during the Commission's regularly scheduled meeting, which begins at 4:00 pm CT.

#### 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

The Commission will not be liable for any costs incurred by the Respondent in replying to this RFP. The Commission is not liable for any costs for work or services performed by the selected Respondent prior to the award of a contract.

#### Authority to Bind Submitting Entity

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

#### Requests for Clarifications and Addenda

1. Respondents intending to submit Proposals who have questions should contact Stu Summers, Executive Director of the Valparaiso Redevelopment Commission, at [stusummers@gmail.com](mailto:stusummers@gmail.com) or his colleague, Lauren Orchard at [lorchard@valpo.us](mailto:lorchard@valpo.us)
2. A guided tour of the Redevelopment Area is scheduled for **March 5, 2018 from 2pm-4pm, CT**. Alternative tour dates may be arranged by contacting Lauren Orchard at [lorchard@valpo.us](mailto:lorchard@valpo.us); however, there is no guarantee that alternative dates can be accommodated.

3. A Respondent shall rely only on written addenda issued by the Executive Director of the Commission. Requests shall be made in writing and may be directed to:

Stu Summers, Executive Director  
City of Valparaiso Redevelopment Commission  
166Lincolnway  
Valparaiso, Indiana 46383  
E-Mail: [stusummers@gmail.com](mailto:stusummers@gmail.com)  
[lorchard@valpo.us](mailto:lorchard@valpo.us)

4. Interpretations or clarifications determined necessary by the Commission will be issued by addenda mailed, e-mailed, or otherwise delivered to all Respondents recorded by the Commission as having received the RFP and requesting to receive updated information. Only questions answered by formal written addenda will be binding. Oral and other interpretations or clarifications from any other source will be without legal effect.
5. All requests for clarification to this solicitation must be received at least one (1) week before the opening date to allow for the issuance of any addendums determined by the Commission to be necessary.
6. To receive addendums or other information updates, Respondents must email Lauren Orchard at [lorchard@valpo.us](mailto:lorchard@valpo.us) to register their email contact information.
7. The Commission reserves the right to amend, revise, extend, modify and revoke this RFP. The Commission also reserves the right the waive any errors and omissions by Respondents in any Proposals.



# EXHIBIT A

