

**REQUEST OF PROPOSALS (RFP)
(PUBLIC OFFERING)**



**WEST COURT AVENUE DEVELOPMENT PROJECT
VACANT LAND CONSISTING OF APPROXIMATELY 0.813 ACRES +/-
204, 208 & 214 W. COURT AVENUE
JEFFERSONVILLE, INDIANA**

**Jeffersonville Redevelopment Commission
Scott Hawkins, President
500 Quartermaster Ct.
Jeffersonville, IN 47130**

April 1, 2023

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SECTION A: NOTICE OF SALE OF REAL ESTATE FOR DEVELOPMENT AND SOLICITATION OF PROPOSALS

NOTICE is hereby given by the Jeffersonville Redevelopment Commission (“Commission”) that on the 31st day of May, 2023 at 4 p.m., the Commission in the Mayor’s Conference Room on the second floor of the City Hall, 500 Quartermaster Ct., Suite 251, Jeffersonville, Indiana, will open and consider written offers for the sale and development of certain vacant Property of real estate (“Property”).

The Commission is willing to entertain proposals for commercial or residential uses or mixed uses for the development of the Property.

PARCEL DESCRIPTIONS

NOTE: for purposes of the preparation of these descriptions, no surveys of the described real estate were performed and no monuments were set. Legal descriptions are from the public assessor records. The following parcels are offered:

SEE ATTACHED EXHIBIT “A”

1. Offering packet may be accessed online at www.cityofjeff.net or picked up in the Department of Redevelopment, 500 Quartermaster Ct., Jeffersonville, Indiana between the hours of 8:30 a.m. and 4:30 p.m. weekdays. Please direct questions about receiving packets to Rob Waiz at this location address, by email at rwaiz@cityofjeff.net or 812-285-6406. Items included in the offering packet:

SECTION B: Instructions to Bidders

SECTION C: Offering Sheet

Attachment #1: Proposal for Redevelopment

Attachment #2: Project Description

Attachment #3: Statement of Bidder’s Qualifications

2. Items also available for review in the Department of Redevelopment in hard copy:

Offering Packet

3. Development standards and limitations:

A. Redevelopment will be subject to the permitted used in the Jeffersonville Zoning Code. Bidders are encouraged to consult with the Jeffersonville Department of Planning and Zoning.

B. The property shall also be subject to limitations identified in Section B (Instruction to Bidders).

C. The property may or may not contain environmental contamination.

4. Offers submitted by a trust (as defined in IC 30-4-1-1(a)) must identify each:

A. Beneficiary of the trust; and

B. Settler empowered to revoke or modify the trust.

All submission to this RFP must be made to the Department of Redevelopment, ATTN: Rob Waiz, City Hall, 500 Quartermaster Ct., Jeffersonville, IN 47130 by Noon (local time) on May 31, 2023.

IMPORTANT DATES

- Issuance of RFP April 1, 2023
- Deadline for Questions from Bidder May 12, 2023
- Deadline for Responses to Questions from Bidder May 19, 2023
- Deadline to Submit RFP May 31, 2023
- Opening of Submissions May 31, 2023

END OF SECTION A: NOTICE OF SALE

SECTION B: INSTRUCTIONS TO BIDDERS

**W. Court Ave. Development Project (Approximately 0.813 +/- acres)
204, 208 and 214 W. Court Ave.
Jeffersonville, Indiana**

1. **GENERAL:** In accordance with IC 36-7-14-22 the Commission is offering for sale property described in the Offering Sheet included in this bid package.

a. The sale of the property was duly advertised in The News and Tribune. The sale of the property will be governed by the procedures that have been established by the Commission in accordance with appropriate regulations and statutes of the State of Indiana. All offers, to qualify for consideration by the Commission, must be prepared and submitted in accordance with these procedures.

b. The sale of the property will be in accordance with, and the successful bidder must be willing to negotiate and enter into, a Development Agreement with the Commission within sixty (60) days of the acceptance of the bids, which Development Agreement shall set forth the nature of the development of the property.

c. Interested bidders shall provide a development plan for commercial or residential and/or mixed use development. The developer should also have an emphasis on offering an attractive development at the 8th Street Corridor.

d. The Commission has caused to be prepared an Offering Sheet which lists the Property being offered at this time and states the minimum offering price and other essential terms for which offers on such Property will be considered. Each bidder must make an offer of at least the minimum purchase price and include in its bid the essential terms stated on the Offering Sheet.

e. A bid submitted by a trust (as defined in IC 30-4-1-1(a)) must identify each: (A) beneficiary of the trust; and (B) settler empowered to revoke or modify the trust.

2. **SEALED OFFERS:** Sealed written offers, in accordance with these Instructions to Bidders and on the forms attached hereto, will be received by the Commission in the Department of Redevelopment, City Hall, 500 Quartermaster Ct., Jeffersonville, Indiana until Noon (local time) on **May 31, 2023**. Each bidder shall submit seven (7) print copies of the proposal plus the original and an electronic copy. At 5 p.m. (local time) **on May 31, 2023** in the Mayor's Conference Room on the second floor of the City Hall located at 500 Quartermaster Ct., Suite 251, Jeffersonville, Indiana, the Commission will publicly open and consider all written offers at a public meeting of the Commission. All exhibits, drawings, renderings and other material to be used in such presentation that are in addition to the sealed bid shall be deposited by each bidder at the time of the submission of the written offers and shall be retained by the Commission. Within ten (10) days after an award is made, unsuccessful bidders may pick up their supplemental exhibits, after which date all remaining materials will be disposed of in any manner the Commission deems appropriate under Indiana law.

All exhibits and graphics of the successful bidder remain the property of the Commission. The successful bidder, however, may arrange to borrow graphics for other presentations.

3. **EARNEST MONEY DEPOSIT:** Each offer must be accompanied by an earnest money deposit (“Deposit”) which shall not be less than 1% of the total amount of the purchase price. The deposit shall be a cashier’s or certified check payable to the Jeffersonville Department of Redevelopment and drawn on a solvent bank. No offer will be considered unless it is accompanied by the required deposit. The deposit shall be given as security that the bidder will, if notified of said acceptance, commence good faith negotiations with the Commission or its representatives or agents relating to the terms of the a Development Agreement and in the Instructions to the Bidders and Offering Sheet. The deposit will be forfeited and surrendered to the Commission as an agreed amount of liquidated damages in case of failure by the accepted bidder to comply with the terms of this paragraph or, if the Commission and the successful bidder enter into a Development Agreement, and the accepted bidder fails to fully comply with the terms and conditions of the Development Agreement. The deposit of the accepted bidder shall be applied to the purchase price of the property at the closing. All checks of unsuccessful bidders will be promptly returned to the unsuccessful bidders, as indicated by his/her signature at the end of the Proposal for Redevelopment (attached hereto). If the Commission and the accepted bidder are unable to reach agreement on the terms and conditions of the Development Agreement within 45 days of acceptance of such bid, then the deposit will be returned to such accepted bidder and such accepted bidder will have no further rights (development or otherwise) regarding the property, in which the Commission may re-offer the property or otherwise dispose of the same as permitted by law.

4. **FORM OF OFFER:** Every offer must be made on the forms attached hereto. Any additional information should be submitted as an attachment to the forms provided.

5. **EXPLANATIONS WRITTEN AND ORAL:** Should a bidder find any discrepancy in or omission from these Instructions to Bidders or any other forms in the bid packet, or should the bidder have questions regarding any aspect of this offering, the bidder shall submit written questions to the Commission c/o of the Director at City Hall, 500 Quartermaster Ct., Jeffersonville, Indiana or email to rwaiz@cityofjeff.met by 4:30 p.m. (local time) on **May 12, 2023**. No phone calls shall be accepted.

6. No oral interpretation or oral instructions will be made to any bidder as to the meaning of the bid packet or any part thereof. Every request for such an interpretation or instructions shall be made in writing or emailed to the Commission no later than 4:30 p.m. (local time) on **May 12, 2023**. No phone calls shall be accepted. The Commission intends to respond in writing or email to all question that will be an addendum to the bid packet issued no later than Noon (local time) on **May 19, 2023**. All addenda will be posted on the City of Jeffersonville website (www.cityofjeff.net) and will be on file in the Department of Redevelopment. All such addenda shall become part of the bid packet, and all bidders shall be bound by such addenda, whether or not received by the bidder. The Commission, its representatives, employees, or agents will not be responsible for any oral instructions and/or interpretations.

7. **WITHDRAWAL OF OFFER:** No offer will be allowed to be withdrawn after bid opening.

8. **REJECTION OR ACCEPTANCE OF OFFERS:** The Commission reserves the right to accept, reject, or table any and/or all offers. If the Commission accepts an offer, the successful bidder shall begin negotiating the Development Agreement within ten (10) days after such bidder is notified of acceptance.

9. **PURCHASE PRICE AND OTHER TERMS:** The purchase price of the property to be purchased under the terms of this offering shall not be less than the Minimum Offering Price as shown on the Offering Sheet, or as otherwise allowed by Indiana law.

10. **HIGHEST AND BEST OFFER:** In determining the highest and best offer, the Commission shall take into consideration the following: the purchase price offered; the size and character of the improvements proposed to be made on the property; the bidder's schedule of work activities; the bidder's work performance record and ability to carry out the work activity schedule; the bidder's financial resources to ensure that the development will be carried out; the bidder's construction lender; the compatibility of the proposed development as it relates to the surrounding neighborhood; compliance with any factors that will assure the Commission that the sale, if made, will best serve the interests of the community both from the standpoint of human and economic welfare.

11. **DEVELOPMENT PLAN:** Each bidder shall submit Attachment #2, as well as any exhibits, drawings, renderings, plans, and other material that illustrate the development plan proposed, and other pertinent information the bidder may wish to submit to further illustrate his/her proposed development plan, and will be deposited with the Commission. Bidders are suggested to limit their development plans to no more than ten (10) letter sized pages.

12. **BIDDER'S QUALIFICATIONS:** Each bidder shall submit Attachment #3, Statement of Bidder's Qualifications with the Proposal. If an offer is made subject to the bidder being successful in obtaining adequate financing, the bidder must present evidence to the Commission that there is a reasonable assurance that financing can be obtained.

13. **TRANSFER OF INTEREST IN/POSSESSION TO THE PROPERTY:** Interest in and possession of the property herein offered will be delivered to the successful bidder at the time and in accordance with the terms and conditions set forth in the Development Agreement.

14. **DISPOSITION:** The bidder must bid on the entirety of the Property being offered.

END OF SECTION B: INSTRUCTIONS TO BIDDERS

SECTION C: OFFERING SHEET

**Jeffersonville Redevelopment Commission
Jeffersonville, Indiana**

**W. COURT AVE. DEVELOPMENT PROJECT (APPROXIMATELY 0.813 +/- ACRES)
VACANT LAND
204, 208 and 214 W. Court Ave.
Jeffersonville, Indiana**

The Commission is willing to entertain proposals for residential and retail commercial uses and/or mixed uses for development of the property and structure with access to and from the major thoroughfares. The successful redevelopment of the property is very important to the future of the various neighborhoods, businesses and institutions. The Commission desires a project that positively affects the long-term development in the area. The submitted proposals are for the development of the following property:

PARCEL DESCRIPTIONS

NOTE: For purposes of the preparation of these descriptions, no surveys of the described real estate performed and no monuments were set. Legal descriptions are from the public assessor records. The following parcels are offered:

SEE EXHIBIT "A"

The Commission will publicly open all written offers at 4 p.m. (local time) on **May 31, 2023**. The Commission and/or its representatives and agents will then review all proposals after which time the Commission will make an award or reject all offers at a subsequent Commission meeting. The bidder shall prepare a bid for the purchase of the offered property. The Commission will review and analyze offer to purchase this property with the following conditions and priorities:

1. The proposed uses by all bidders shall highlight, emphasize or select uses that are consistent with the Jeffersonville Zoning Code as applied to the property or the appropriate rezoning of the property.

2. Certain parcels may be subject to certain non-zoning restrictions or recorded covenants.

3. All proposals must include the following statement:

"I hereby acknowledge that the property may contain environmental contamination."

4. **DEVELOPMENT AGREEMENT:** The successful bidder must be prepared to enter a Development Agreement with the Commission, which Development Agreement shall contemplate the purchase and subsequent sale and/or lease of the Property, all easement agreements related to the Project, and shall set for the nature of the development of the property. By delivering of the Offering Sheet, the bidder agrees to negotiate the Development Agreement in good faith and acknowledges and agrees that if, in spite of good faith negotiations, the bidder and the Commission cannot reach agreement on a form of the Development Agreement on or before sixty (60) days following the acceptance of the bid of such successful bidder, then, such successful bidder shall have no further rights

(development or otherwise) in or to the property and the Commission may re-offer the property or otherwise dispose of the same as permitted by law.

5. **Other Compliance Requirements:** In addition to requirements discussed in this Section, all awardees must meet guidelines in accordance with published federal regulations, rulings, guidelines and notices.

6. **Minimum Offering Price:** **\$1,100,000.**

7. **Site:** The bidder must bid on the entirety of the property being offered. The new development may or may not incorporate the utilization of the existing building on the site.

8. **Other Required Uses:** The new development must also include but is not limited to the following:

Consideration of an appropriate amount of public open space/park facilities for the development and surrounding community. Ideally, reserved park or green space should be oriented or utilized toward/accessible from the adjacent rail corridor on the east side of the site as this may become a trail corrido which connects the neighborhood to the Ohio River.

9. **Zoning:** The bidder's proposed development must comply with the existing zoning classification of the property as established by the Jeffersonville Zoning Code or an appropriate rezoning of the property.

10. **Requirements of Bidder:** The successful bidder must demonstrate that they have the industry, knowledge, experience and financial capability to successfully complete the proposed development on the offered property.

END OF SECTION C: OFFERING SHEET

**Attachment #1
PROPOSAL FOR REDEVELOPMENT**

PROJECT NAME: W. Court Avenue Development Project

Size: Approximately 0.813 +/- acres

Parcels: **See Exhibit "A"**

PROPOSED USE*:

BIDDER'S PRICE:

BIDDER'S DEPOSIT:

BIDDER'S NAME:

(Corporate Name or Authorized Representative)

BIDDER'S ADDRESS:

*Attach additional sheets if necessary (10 pages maximum). Detailed description of proposal should be submitted herewith as part of Attachment #2, "Project Description."

In submitting this proposal to purchase it is understood that the right to reject this offer is reserved by the Commission.

I agree that in the event my proposal is accepted I will negotiate in good faith a Development Agreement relating to development of the property with the Commission or its agents or representatives.

In the event that this proposal is accepted, if I fail to execute the Development Agreement within the time set forth herein, I agree and understand that the Commission shall have the option of declaring my deposit forfeited.

Attached hereto and to be considered part of this proposal for redevelopment are the forms for the Project Description (Attachment #2 to the bid packet) and Statement of Bidder's Qualifications (Attachment #3 to the bid packet).

I understand that the real estate that I am offering to purchase is to be developed as proposed in Attachment #2, "Project Description."

I certify that should this proposal be accepted, the title will be held in the name of _____, and I further certify that I am authorized to represent the bidder.

Acceptance or reject of this proposal shall be sufficiently delivered if (i) deposited with the U.S. Postal Service by certified mail, postage prepaid, return receipt requested; (ii) delivered personally to the bidder at the address set forth in the following; or (iii) faxed to the bidder at the fax number set forth in the following.

IN WITNESS WHEREOF, the undersigned has caused its name and seal to be subscribed this _____ day of _____, 2023.

RESPECTFULLY SUBMITTED,

BIDDER:

(Name of Firm or Individual)

BY: _____
(Signature)

(Printed Name)

ITS: _____
(Title)

ADDRESS: _____
(Street)

(City, State, Zip Code)

(Telephone)

(Fax)

Attachment #2
PROJECT DESCRIPTION

Please provide a narrative description, as well as any maps, drawings, or other renderings available of the project proposed, including the specific information requested below. PLEASE LIMIT RESPONSE TO NO MORE THAN 10 LETTER SIZED PAGES.

1. Identify the scope of proposed development, as well as whether proposed development includes any other arrangements which include adjacent or nearby properties and whether the proposed development will incorporate the existing structure on the property and if so, how the proposed development will utilize the structure.

2. Describe the size, number, architecture, and scope of any proposed new buildings. Include a description of green construction techniques and additional green features.

3. Describe the type of proposed construction.

4. Describe the ways in which the site will be used including public open space, building forms and scale, building character and materials, and parking.

5. Provide a development schedule and cost analysis with regard to each stage and/or part of the proposed project.

6. Provide bidder's preliminary plan to finance project. A detailed financial plan including funding types and sources and any proposed public participation in the financing will be required prior to project award.

END OF ATTACHMENT #2

ATTACHMENT #3
STATEMENT OF BIDDER'S QUALIFICATIONS

Please supply the following information regarding bidder's ability and capacity to develop the project as described in Attachment #2.

1. Name and permanent address of bidder.
2. Please indicate the type of organization and legal description of entity, if not an individual doing business in his or her own name, and the legal name of such entity, if not indicated above (i.e., corporation, non-profit or charitable institution or corporation, partnership, business association or joint venture, government or instrumentality thereof, or other).
3. Indicate whether the entity is a subsidiary of or affiliated with any other corporation or any other firm or firms and, if so, please list such corporation by firm or address, specify its relationship with the bidder, and identify the officers and directors or trustees common to the bidder and such other corporation or firm.
4. Date and place of creation of the legal entity submitting this bid.
5. Name(s), address(es), title(s) of position (if any), and nature and extent of the interest of the officers and principal members, shareholders, and investors of the bidder, other than a government agency or instrumentality, as set forth below:
 - a. If the bidder is a corporation, the officers, directors or trustees, and each stockholder owning more than 10% of any class of stock.
 - b. If the bidder is a non-profit or charitable institution or corporation, the members who constitute the board of trustees or board of directors, or similar governing body.
 - c. If the bidder is a partnership, each partner, whether general or limited partner, and either the percent of interest or a description of the character and extent of interest.
 - d. If the bidder is a business association or a joint venture, each participant and either the percent of interest or a description of the character and extent of interest.
 - e. If the bidder is some other entity, the officers, the members of the governing body, and each person having an interest of more than 10%.
6. General character of work usually performed by bidder.
7. Experience of development team in projects similar to the proposed project.
8. Experience in design and construction of facilities similar to the proposed project.
9. List of pertinent projects which team has designed and constructed.
10. Whether team intends to joint venture or subcontract with other firms, and, if so, the names and qualifications of such firms.
11. Evidence of the financial capability of the team to obtain necessary financing, performance bonds, and insurance to develop the project. A full financial statement may be required prior to project

award. Bidder may request that the financial statement be held as confidential information to the extent possible under applicable public access laws.

END OF ATTACHMENT #3

EXHIBIT "A" – LEGAL DESCRIPTION

204, 208 and 214 W. Court Avenue, Jeffersonville, Indiana consisting of approx. 0.813 acres +/-
The development site fronts on West Court Avenue, Michigan Avenue, West 8th Street and Pearl Street.
For purposes of the preparation of these descriptions, no surveys of the described real estate were
performed and no monuments were set.

*This is an assembled tract and is described as PT LOT 6-7-8 BLK 56 (0.188 acres), PT LOT
6-7-8 BLK 56 (0.099 acres), PT LOT 6-7-8 BLG 56 (0.258 acres), and BLK 56 PT LOTS 1-2-3
(0.195 acres), for a combined 0.813 acres (includes 0.07 acres of assumed vacated alley),
as described in various deed records, WR 201701038, WD 202200425, and QC
201326503, respectively, in the Clark Co. Recorder's office.*

END OF EXHIBIT "A"