



# COVER PAGE

**NAME:**

**ADDRESS:**

**PHONE #/EMAIL ADDRESS:**

**SUBJECT PROPERTY ADDRESS:**

**BID AMOUNT:**

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**SIGNATURE**



**NOTICE TO BIDDERS**

The City of Gary Redevelopment Commission will receive sealed bids from **Tuesday, September 22, 2020 beginning at 9:00 a.m. until Wednesday, October 7th, 2020 at 3:00 p.m.** at its office at 504 Broadway, Suite 200, Gary, Indiana 46402 for the purchasing of the real estate hereinafter described:

**Parcel Numbers- 45-08-03-181-003.000-004  
45-08-03-181-004.000-004  
45-08-03-181-005.000-004  
45-08-03-181-002.000-004**

**Property Address-700-742 E 5<sup>th</sup> Ave. Gary IN, 46402  
General Location: Bracketed by 4<sup>th</sup> and 5<sup>th</sup> Avenue between Carolina and Georgia Streets.  
approximately .9 acres +/-  
Zoning district: B5-1 Business**

This Notice to Bidders is made pursuant to I.C. 36-7-14-22(d). Bids will be subject to the conditions set forth in the statute and as set forth herein. This real estate is to be used for the highest and best use to benefit economic development for the City of Gary. No bid will be accepted if not marked received **by 3:00 p.m. on Wednesday, October 7th, 2020**. All bidders must bid on all lots being offered to be considered.

Bids submitted by a trust must identify each: (a) beneficiary of the trust; and (b) settler empowered to revoke or modify the trust.

The Redevelopment Commission reserves the right to reject any and all bids, to waive any non-substantive formalities and to make the award to the highest and best bidder. The Redevelopment Commission shall take into consideration the following factors:

- 1) The character of the improvements proposed to be made by the bidder on the real property bid on.
- 2) The bidder's plans and ability to improve the building with reasonable promptness.
- 3) Whether the real property when improved will be sold or rented. If so, the bidder's proposed sale or rental prices.
- 4) The bidder's compliance with I.C. 36-7-14-22(d)(3), if applicable.
- 5) Any factors that will assure the Commission that the sale, if made, will further the execution of the redevelopment plan and best serve the interests of the community.

Upon the execution of a contract providing for the sale of the real estate to the successful bidder, a certified check representing the first month's sale payment, made payable to the City of Gary shall be provided to the Redevelopment Commission for the purpose of securing the sale of the subject real estate, and shall be submitted with the contract.

Bidders are encouraged to review instructions to bidders available online at <https://gary.gov/redevelopment/city-properties/>. **All bids must be submitted at the offices of the City of Gary Redevelopment Commission, 504 Broadway, Suite 200, Gary, Indiana.** For questions, please contact Jeraldine Williams, Executive Secretary, at (219) 886-1531.

City of Gary Redevelopment Commission  
By: Aj Bytnar, Executive Director



### **INSTRUCTIONS TO BIDDERS**

The Department of Redevelopment has determined the minimum offering price at the following: \$100,000 for all land and buildings. The RDC will accept lease offers and or partial offers of the parcels offered. Lease rate will be determined by industry standard rate of return for property valued at offering price and proposed tenant improvements. Specific parcel interest will be evaluated based on proportional value.

All bidders must have demonstrable experience in developing the property for the use intended. Bidders must prepare a development plan providing an estimate of the total investment to be made and a schedule of development.

A certified check payable to the City of Gary Department of Redevelopment shall be submitted upon execution of the purchase contract for the sale of the real estate. A Twenty-Five Dollar (\$25.00) money order, payable to the Lake County Recorder, and an additional Fifteen Dollar (\$15.00) money order, payable to the Lake County Auditor's Office, must be included with the bid price. The Redevelopment Commission will record the deed upon the receipt of all signatures on the deed.

The Commission reserves the right to reject any or all bids or waive any deviation in the bidding which it deems to be in the best interest of the City of Gary.

Each bidder must submit a written bid to the City of Gary Redevelopment Commission, **504 Broadway, Suite 200, Gary, Indiana, 46402**. Each Bid must contain: Name, Address and Phone Number of Bidder; Address of the property which is the subject of bid; the amount of bid; and the completed cover sheet from the front of this offering sheet. **Only bids utilizing the approved cover sheet will be accepted. Failure to use the provided cover sheet template will disqualify the bidder.** All bids received will be reviewed by the Board on the date specified in the Notice to Bidders which is **October 7th, 2020**.



**PROPOSAL FORM**

TO: City of Gary  
Redevelopment Commission  
504 Broadway, Suite 200  
Gary, Indiana 46402

SIR OR MADAM:

The undersigned (referred to as the "Bidder") has familiarized himself or herself with the present conditions on the subject site, as hereinafter designated and with the offering documents:

1. Notice to Bidders
2. Instruction to Bidders
3. Proposal Form
4. Offering Sheet

The Bidder certifies his/her or its desire to participate in the development of the said tract or tracts of land pursuant to the federal, state, and local legislation, ordinances, regulations and usage referred to in the offering documents, and hereby offers and proposes to purchase the parcel of land identified in the offering documents (hereinafter referred to as the "Project Land").

Attached hereto as Exhibit A and to be considered a part of this offer to purchase, is a narrative description of the proposed plan of development of the Project Land identified on the Offering Sheet, describing the exact nature and character of the improvements proposed and the use thereof.

Acceptance or rejection of this proposal shall be made on record at a regular meeting of the City of Gary Redevelopment Commission. The highest and best bid will be accepted and will require the approval of the Redevelopment Commission.

In submitting this offer to purchase, it is understood that the right to reject such offer is reserved by the City of Gary Redevelopment Commission. The Bidder understands that upon the award of this bid, the Redevelopment Commission intends to negotiate a Development Agreement with the Bidder to reflect the terms of the proposed development of the Project Land. The Bidder will have the opportunity to conduct due diligence during the negotiation period.

The Bidder further agrees to execute a contract for the purchase of the Project Land in the form submitted by the Redevelopment Commission and to submit with the purchase contract a Certified Check made payable to the City of Gary.

The Bidder agrees to develop and use the above-identified parcel of land in conformity with any Federal and State statutes and City ordinances applicable to the Bidder's improvement plan and the Development Agreement.



City of Gary  
Redevelopment Commission

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Within thirty (30) days after the purchase contract is executed, the undersigned must pay the balance of his/her bid in full within thirty (30) days. **(IT IS UNDERSTOOD IN THE EVENT A BIDDER DOES NOT PAY THE FULL BALANCE WITHIN THE DESIGNATED TIME PERIOD, THE EARNEST MONEY IS FORFEITED BY THE BIDDER.)** Upon closing, the Bidder shall accept the premises in as is condition with no warranties or representations other than warranty of title. The Bidder shall be responsible for the payment of all real property taxes assessed against the property. The property may not be sold to a person who is ineligible under Indiana Code 36-1-11-16.

It is agreed that the good faith deposit of the Bidder may be refunded by the Redevelopment Commission and that the Redevelopment Commission may withdraw from the sale of the Project Land at any time prior to the conveyance of title and possession of said property by reason of inability of the Redevelopment Commission to convey good title to the parcel or parcels or by reason of the Redevelopment Commission being enjoined or prevented from so doing by any order or decision or act of any judicial, legislative or execution body having authority in the premises.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Corporation, Firm or Company

\_\_\_\_\_  
Signature of Official

\_\_\_\_\_  
Title of Official

\_\_\_\_\_  
Address of Company



**EXHIBIT A  
FINANCIAL ANALYSIS AND FINANCING PLAN**

*NOTE: Except for offeror's pro-forma, which shall be inserted into a separate envelope that is marked "Confidential Proprietary Information" and included with the proposal package, all documents submitted in response to this RFP, including, without limitation, the executive summary, will be considered public documents subject to Indiana statutes governing access to public records, Ind. Code § 5-14-3 et. seq., after negotiations with the Award Recipient(s) conclude.*

**This section of your proposal should include, at a minimum, the following:**

1. Construction costs, generally broken out into the following major categories:
  - i. land acquisition (proposed purchase price from the City);
  - ii. soft costs
  - iii. utility costs (acquisition and relocation, if necessary); and iv public space, sidewalk and/or path improvements consistent with requirements of the municipal code.
2. Financing Costs.
3. Demonstration of applicant's ability to fund the project and financial responsibility. Specifically identify private equity, financing, etc.
4. Contingencies and project equity investment.
5. Project pro forma (which shall be enclosed in a separate envelope marked "Confidential Proprietary Information" and included with the proposal).
6. Letters of interest or support from interested tenants in the project to be constructed.
7. Portfolios of past, similar experience, letters of recommendation and other documents establishing preparedness for the project, including, without limitation, experience in public- private partnerships.



**EXHIBIT B - TRANSMITTAL LETTER**

Offeror: \_\_\_\_\_ City of Gary c/o:

The undersigned (“Offeror”) submits this proposal in response to the Request for Proposal for Acquisition and Development of City Property (dated September 22nd, 2020 (“RFP”) issued by the City of Gary, Lake County, Indiana (“City”). Offeror represents and warrants that it has read the RFP and any addenda and agrees to abide by the contents and terms of the RFP.

Offeror understands that the City is not bound to negotiate with any Offeror and may reject each response that it receives. Offeror further understands that all costs and expenses incurred by it in preparing this proposal will be borne solely by offeror. Offeror understands that any documents, work product, or proprietary information submitted to the City in response to this RFP or throughout the RFP process shall become the sole and exclusive property of the City and the City.

Offeror acknowledges and agrees that the City reserves, at all times in connection with this RFP, all rights available to it under applicable law, including without limitation, with or without cause and with or without notice, the right to the following: (1) terminate this RFP in whole or in part at any time prior to the execution of a project agreement, (2) issue a subsequent RFP after the withdrawal of this RFP for the project or any part of the project, (3) reject any and all proposals, (4) terminate, suspend, or elect not to proceed in negotiations with offeror(s) at any time, and (5) waive any deficiencies, nonconformities, irregularities, and/or apparent clerical mistakes in a proposal. Offeror acknowledges and agrees that the issuance of this RFP does not commit the City to enter into a project agreement or proceed with the RFP process.

Offeror acknowledges and agrees that this RFP and all aspects of the process described therein shall be governed by and construed according to the laws of the State of Indiana.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Its: \_\_\_\_\_



**EXHIBIT C - NON-COLLUSION AFFIDAVIT**

The undersigned authorized representative of offeror, being duly sworn on oath, states and affirms that neither offeror nor any other member, representative or agent of the offeror has entered into any combination, collusion or agreement with any person or entity relative to the price or other factors offered or in response to the RFP or in any way acted to prevent any other offeror from responding or otherwise submitting a proposal to the RFP. Offeror’s proposal is made without reference to any other proposal and without any agreement, understanding or combination with any other person in reference to such proposal. Further, no member of the City or City Council, or other officers of the City, or any person in the employ of the City is interested in the proposal, or the work to which it relates.

OATH AND AFFIRMATION

I HEREBY AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FOREGOING FACTS AND INFORMATION ARE TRUE AND CORRECT.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2020  
\_\_\_\_\_  
(Offeror)  
\_\_\_\_\_  
(Offeror’s Authorized Representative)  
  
\_\_\_\_\_  
(Signature)

ACKNOWLEDGEMENT

STATE OF INDIANA COUNTY OF \_\_\_\_\_)

Before me, a Notary Public, personally appeared the above-named and swore that the statements contained in this Non-Collusion Affidavit are true and correct.

Subscribed and sworn to me this \_\_\_\_ day of \_\_\_\_\_, 2020. \_\_\_\_\_

Notary Public Signature





**EXHIBIT D - NO DEFAULT OR BREACH**

The proposal must include an affidavit of the offeror affirming that the offeror and its affiliates are not: (a) involved in any current or pending litigation or legal disputes with any federal, state, or local governmental entity; (b) in arrears to any federal, state, or local governmental entity of any debt or contract; (c) a defaulter as surety or other obligation upon any federal, state, or local governmental entity or (d) in failure to perform faithfully in any previous contract with a federal, state, or local governmental entity in the preceding five (5) years.

**EXHIBIT E - NO BANKRUPTCY**

The proposal must include a signed affidavit from the offeror, affirming that the offeror and all affiliates of the offeror are currently solvent and have not, in the preceding five (5) years, voluntarily or involuntarily filed for bankruptcy or other similar insolvency proceeding.

**EXHIBIT F**  
**AFFIRMATION OF NO LITIGATION OR EXPLANATION OF LITIGATION**

Provide an affirmation that offeror is not currently and has not been for a period of (3) years subject to litigation, including without limitation threatened litigation. If such an affirmation cannot be made, a full description of all such litigation or threatened litigation shall be included.



**OFFERING SHEET – 700-742 E 5<sup>TH</sup> AVE.**

**DESCRIPTION OF SUBJECT PROPERTY:**

**Parcel Numbers- 45-08-03-181-003.000-004**

**45-08-03-181-004.000-004**

**45-08-03-181-005.000-004**

**45-08-03-181-002.000-004**

**Property Address-700-742 E 5<sup>th</sup> Ave. Gary IN, 46402**

**General Location: Bracketed by 4<sup>th</sup> and 5<sup>th</sup> Avenue between Carolina and Georgia Streets.  
approximately .9 acres +/-**

**Zoning district: B5-1 Business**

**OFFERING PRICE:**

The Department of Redevelopment has determined the minimum offering price at the following: \$100,000 for all land and buildings. The RDC will accept lease offers and or partial offers of the parcels offered. Lease rate will be determined by industry standard rate of return for property valued at offering price and proposed tenant improvements. Specific parcel interest will be evaluated based on proportional value.

**PERMITTED USES:**

This property is to be used for the highest and best use to benefit the economic development and neighborhood improvement of the City of Gary. This property is currently zoned B5-1, an appropriate and responsive development proposal shall be congruent with the policies of the City's Comprehensive Plan which shows a future land-use of flexible commercial, and will consider uses allowed within the zoning district specifically, but not limited to food service and other retail uses.

**CONTENT OF PROPOSAL:**

Proposals should be submitted in the following order:

- A) A Completed, Approved Cover Sheet and exhibits
- B) An Executive Summary describing the bidder and the proposed use of the property.
- C) Description of the bidder's qualifications and those of the primary individuals involved in the project.
- C) Detailed project description.
- D) Listing of similar projects including the following:
  - 1) Nature, types and scopes of project.
  - 2) Names(s), address(s), and telephone number(s) of person(s) who could be contacted as a reference.
- E) Proposed timetable for implementation of use of property.
- F) Proposed financing for use of property.



G) Proposals **MUST** be in sealed envelope, which is clearly marked as follows:

**SEALED BID - - INVITATION TO BID - - 700-742 E 5<sup>th</sup> Ave.**

**Parcel Numbers- 45-08-03-181-003.000-004**

**45-08-03-181-004.000-004**

**45-08-03-181-005.000-004**

**45-08-03-181-002.000-004**

**Property Address-700-742 E 5<sup>th</sup> Ave. Gary IN, 46402**

**General Location: Bracketed by 4<sup>th</sup> and 5<sup>th</sup> Avenue between Carolina and Georgia Streets.  
approximately .9 acres +/-**

**Zoning district: B5-1 Business**

***NOTE: The City of Gary Redevelopment Commission reserves the right to adjust lot size and dimensions as needed to honor right-of-way obligations and easements, if necessary.***

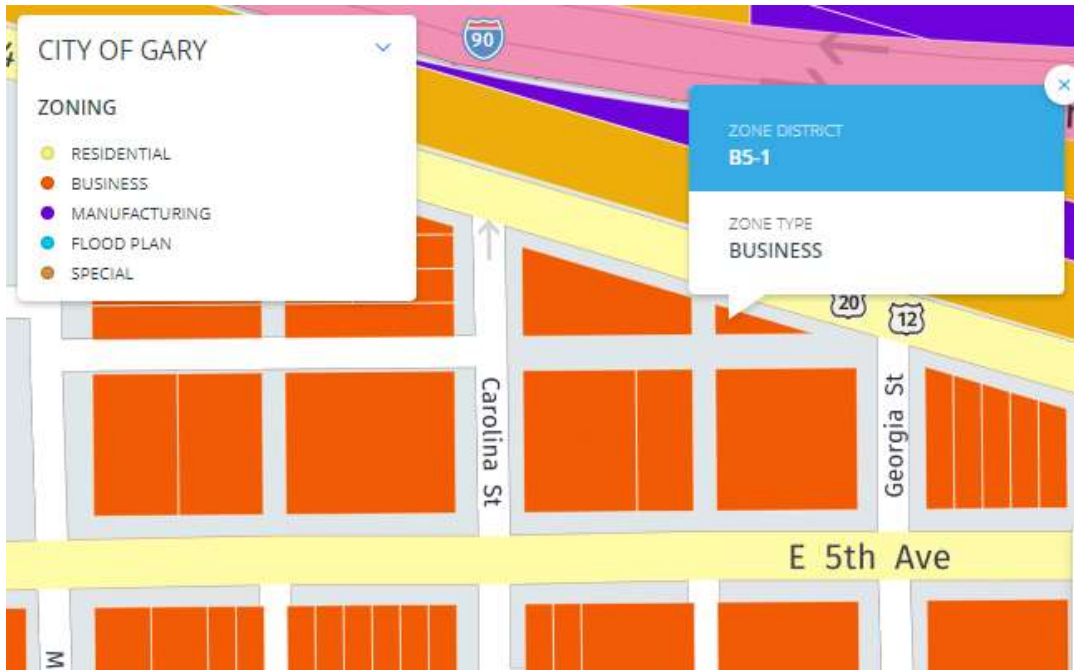
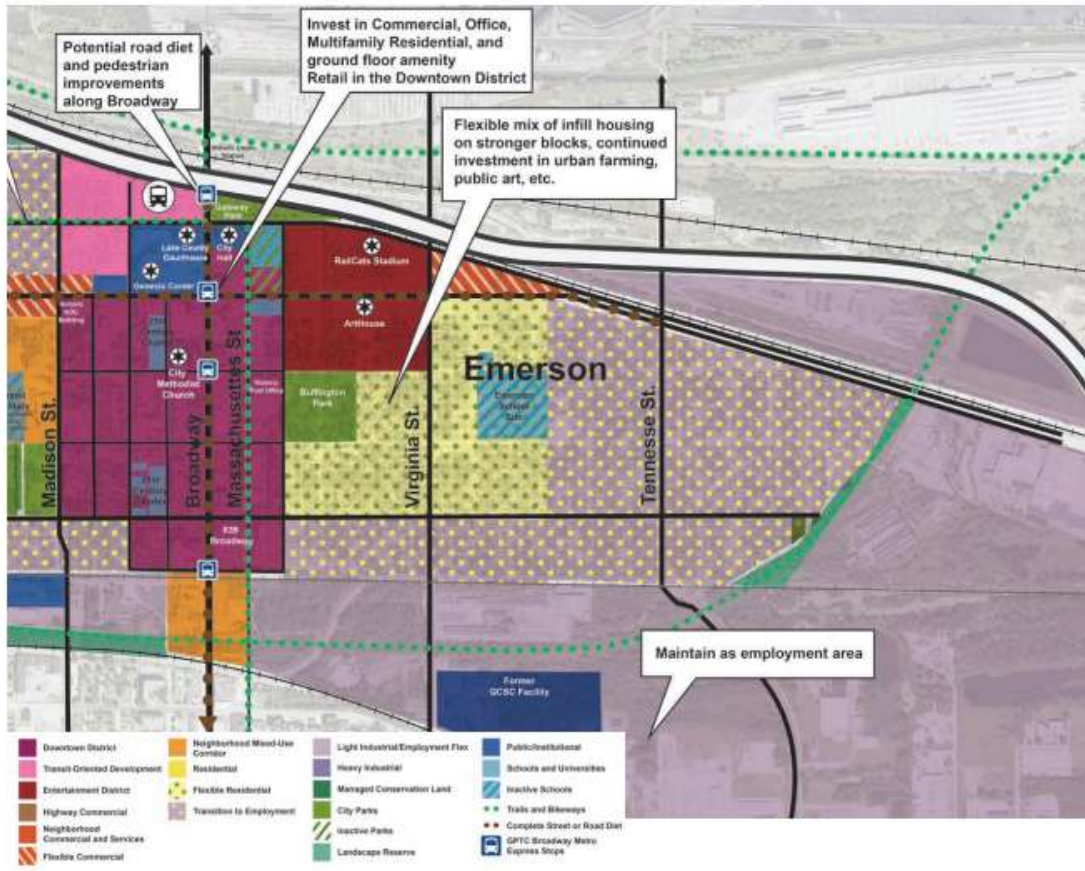


FIGURE 6-6. DOWNTOWN AND EMERSON





# City of Gary Redevelopment Commission

