COVER PAGE

NAME:

ADDRESS:

PHONE #/EMAIL ADDRESS:

SUBJECT PROPERTY ADDRESS:

BID AMOUNT:

_____

SIGNATURE

NOTICE TO BIDDERS

The City of Gary Redevelopment Commission will receive sealed bids from Monday, July 12, 2021, beginning at 9:00 a.m. until Wednesday, August 4th, 2021 at 3:00 p.m. at its office at 504 Broadway, Suite 200, Gary, Indiana 46402 for the acquisition of the real estate hereinafter described:

WEST 5TH AVENUE SITE
Parcel Numbers: 45-07-02-328-034.000-004
Site Address: 7015 West 5th Avenue, Gary, IN 46406
Net Acreage: 2.26

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.

The City will consider the following uses:
Redevelopment for employment based uses consistent with operations typically near highway and airport access points and uses that positively impact the existing neighborhood.

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 size and 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 real property with reasonable promptness.
(3) Whether the real property when improved will be sold or rented.
(4) The bidder's proposed sale or rental prices.
(5) The bidder's compliance with IC 36-7-14-22 (d)(3).
(6) Any factors that will assure the commission that the sale or lease, if made, will further the execution of the redevelopment plan and best serve the interest of the community, from the standpoint of both human and economic welfare.

Pursuant I.C. 36-7-14-12, the Redevelopment Commission will accept offers for the purchase, lease, or alternative means of conveyance. All bids must be submitted at the offices of the City of Gary Redevelopment Commission, 504 Broadway, Suite 200, Gary, Indiana.

Complete submittal procedures are listed in the RFP posted on the City of Gary's Redevelopment Department webpage. (https://gary.gov/redevelopment/city-properties/)

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

INSTRUCTIONS TO BIDDERS

The City of Gary Redevelopment Commission has prepared, and made available as part of this bid, an offering sheet describing the parcel being offered for sale. The offering sheet states that the minimum sales price of the **7015 West 5th Avenue is $195,000.00**

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.

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. All bids are open for public inspection after bid opening from Board. All bids received will be reviewed by the Board.

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 statues and City ordinances applicable to the Bidder's improvement plan and the Development Agreement.

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 of 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 _____, 2021.

_____
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 Comprehensive Plan and 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 August 4th, 2021 ("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 August, 2021
_____ (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 _____, 2021. _____ 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. If such an affirmation cannot be made, a full description shall be included.

Signature printed name date

EXHIBIT E - NO BANKRUPTCY OR TAX DELIQUENCY

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, other similar insolvency proceeding, or owes/owed any real estate taxes in Gary, Lake County, IN, or elsewhere. If such an affirmation cannot be made, a full description shall be included.

Signature Printed name Date

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.

Signature Printed name Date

OFFERING SHEET –7015 WEST 5TH AVENUE

DESCRIPTION OF SUBJECT PROPERTY:

WEST 5TH AVENUE SITE
Parcel Numbers: 45-07-02-328-034.000-004
Site Address: 7015 West 5th Avenue, Gary, IN 46406
Net Acreage: 2.26

OFFERING PRICE:

The Department of Redevelopment has determined the minimum offering price at the following:

Minimum Bid: $195,000.00

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. **The City will consider the following uses:** Redevelopment for employment based uses consistent with operations typically near highway and airport access points and uses that positively impact the existing neighborhood.

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, including maps, plans, renderings, etc.
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 - - 7015 WEST 5TH AVENUE

WEST 5TH AVENUE SITE
Parcel Numbers: 45-07-02-328-034.000-004
Site Address: 7015 West 5th Avenue, Gary, IN 46406
Net Acreage: 2.26

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.
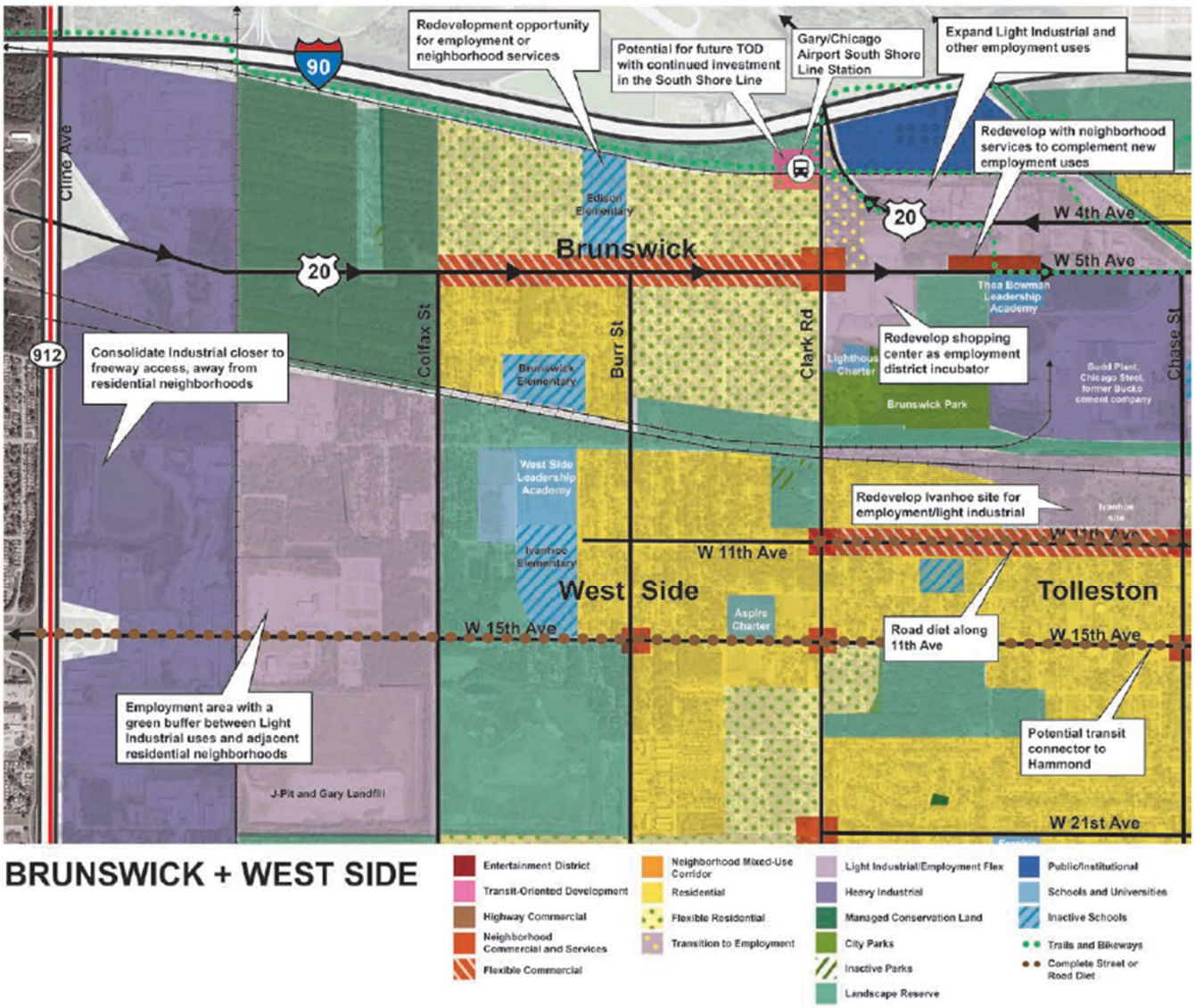
FIGURE 6-2. BRUNSWICK AND WEST SIDE