

REQUEST FOR PROPOSALS

**FOR THE PURCHASE OR LEASE
AND THE DEVELOPMENT OF
CITY-OWNED PROPERTY LOCATED AT
EAST MAIN STREET AND CASTAWAY LANE
PLATTSMOUTH, NEBRASKA**



Overview and Timeline

The City of Plattsmouth (“City”) has issued this Request for Proposals (“RFP”) to solicit proposals for the development and management of a river front campground (“Project”) to be located at East Main Street and Castaway Lane, Plattsmouth, Nebraska 68048 (“Site”). Subject to the terms of this RFP, the City will consider all proposals (each a “Proposal”) submitted by interested developers (each a “Developer”).

The City will sell or lease the Site “as-is” to the successful Developer, if any, and the City and the successful Developer will enter a Development Agreement which, among other things, outlines the City’s development goals for the Site and for the management of the Project located on it.

The City has established the following completion dates for this RFP:

- Release of this RFP on Monday, January 18, 2016.
- Tours of Site conducted no later than February 19, 2016.
- Clarifying Questions submitted no later than February 19, 2016.
- Proposals received by City no later than 4:00 p.m. CST, March 18, 2016.
- Committee's review and evaluation completed by April 1, 2016.
- City Council review and award April 13, 2016.
- Negotiation of Development Agreement completed by end of April 2016.

The Site

The Site is located to the East of the City along the Missouri River. The Site consists of approximately 28.55 acres and offers approximately 1,850 feet of river frontage. The Site includes three 900 square foot two-story cottages overlooking the Missouri River and a marina capable of accommodating at least 50 slips and boats up to 28 feet in length. The marina is permitted by the U.S. Army Corps of Engineers under Permit File Number 2002-10903, which subjects the property to a 30 foot land conservation easement. A copy of the permit is available on the City of Plattsmouth website (www.plattsmouth.org). By that same U.S. Army Corps of Engineers permit, up to 30 boat docks may be placed on the west bank of the Missouri River immediately adjacent to the site. A portion of the Site is served by City's water, wastewater, and stormwater.

The legal description of the Site is:

Lots 2-23, Castaway Cottages, A Subdivision in Cass County, Nebraska;

Lot 1, Castaway Cottages, A Subdivision in Cass County, Nebraska;

Lots 1-7 Inclusive and Lots 9 and 10 and Outlot 1, Castaway Estates, A Subdivision in Section 17 and 18, T12N, R14 East of the 6th P.M., Cass County, Nebraska;

Lot 3 and that part of Lot 2 Morehead Island Riverfront Development Subdivision Not Platted into Castaway Villas, Cass County, Nebraska; and

Commercial Lot 9, Morehead Island Development, a subdivision in Cass County, Nebraska.

The Site is outside of the City's corporate jurisdiction but within the City's two-mile zoning jurisdiction. The City intends to annex the Site in the near future and will likely do so in connection with the Project. The Site is currently located within a planned unit development and is zoned for a combination of residential, commercial, and open space uses. The existing zoning classifications were created when the Site was initially

platted and developed and were in compliance with then-applicable floodway and floodplain guidelines. While the current zoning would allow for permanent residential improvements to be constructed on the Site, a portion of the Site has since been designated floodway and permanent residential structures are not permitted on this portion of the Site. The City has made its ALTA/ACSM surveys of the Site available on the City's website at www.plattsmouth.org.

The City is offering the Site for sale at \$1,500,000, however, the City will also consider Proposals under which the Developer leases and improves but does not purchase the Site.

Developers may not visit the Site without prior approval of the City. Developers interested in visiting the Site should contact Ervin Portis, City Administrator at (402) 296-2522 Ext. 302 or eportis@plattsmouth.org to arrange access to the Site. Subject to scheduling availability, the City will provide interested Developers tours of the Site and the buildings located thereon.

Development Goals

The Project should include not only the camping and RVing facilities but also various other amenities which will draw users to the Site and the Plattsmouth community. The camping facilities must include RV sites and may include tent camping sites, a limited number of cabins, and other facilities. The camping facilities and the services necessary for their operation (e.g., maintenance, utilities, and security) shall be available year-round. The development should also include other amenities—such as a swimming pool, marina boat docks, non-permanent boat gas pumps, and camp store which will enhance the desirability of the Project and encourage high occupancy and low turnover in RV sites. Developer may operate such other amenities on a seasonal basis, as appropriate.

Financial Requirements and Incentives

If the Developer proposes to purchase the Site, the City may make available financing on terms to be negotiated between the developer and the City.

If the Developer proposes to lease the Site, the Proposal should include a proposed annual guaranteed lease amount and/or a percentage of gross revenue.

Developer will be required to post a \$500,000 bond to guaranty completion of the improvements.

The City may support the development of the Site with a \$600,000 grant and potentially up to \$400,000 in tax increment funding.

The Lower Platte South Natural Resources District has reserved up to \$200,000 to further assist with development costs.

Proposal Contents

Each Proposal must include the following information, numbered and presented in the following order, to be deemed complete and responsive. Proposals which the City deems incomplete or unresponsive will not be considered.

1. Cover Page. Each Proposal must include a cover page setting forth the following information:
 - a. Developer's name and mailing address;
 - b. Developer's current legal status (e.g., corporation, limited liability company, partnership, or sole-proprietorship);
 - c. Contact person's name, title, phone number, and e-mail address; and
 - d. Signature of Developer (if Developer is an entity, the signature and title of the individual authorized to sign on such entity's behalf).
2. Summary. The Proposal should begin with a brief narrative summarizing the key terms of the Developer's Proposal.
3. Description of the Project. Section 1 of the Proposal should consist of a complete description of the Developer's development plan for the Project including:
 - a. The location, size, building materials, and design style of all buildings or other structures Developer proposes to construct on the Site;
 - b. All other improvements Developer proposes to construct on the Site, including without limitation roads, parking lots, landscaping, and utilities;
 - c. Preliminary Site plan showing improvements and campground facilities;
 - d. The scope and anticipated schedule of operations for each campground facility which Developer will operate on the Site (e.g., RV sites, tent camping sites, rental units, boat slips, etc.);
 - e. The scope and anticipated schedule of operations for all ancillary activities which Developer will operate on the Site (e.g., concession store, swimming pool, etc.);
 - f. Developer's proposed plans for staffing its operations;
 - g. Developer's proposed plans for providing safety and security for tenants/owners and visitors of the Project, including emergency management; and
 - h. Developer's proposed covenants and/or use restrictions which will help ensure that the Project is managed and used in accordance with the City's

development goals for the Project and the City's Comprehensive Development Plan.

4. Description of Developer. Section 2 of the Proposal should consist of a complete description of the Developer including:
 - a. Developer's equity owners and management structure if the Developer is an entity;
 - b. Developer's executive team for the development and management of the Project, including the name, title, role, and experience of each member of the team;
 - c. Name, title, role, and experience of any other individual who will have a significant role in the development or management of the Site and Project;
 - d. Brief description of Developer's other development or management projects, if any, which are similar in size or nature to the proposed Campground; and
 - e. Name and title of the developers attorney and any other individual(s) who would be involved in negotiating the Development Agreement for the Project in the event City selects Developer's Proposal.

5. Development Budget. Section 3 should consist of a budget for the development of the Project, including:
 - a. The means by which Developer intends to acquire or lease the Site and Developer's proposed purchase price or rent, as applicable, for the Site;
 - b. Detailed sources of all funds Developer intends to use for the Project, including the type and security status of any proposed financing;
 - c. Uses for all funds, itemized to show costs for the acquisition or leasing of the Site and hard and soft construction costs; and
 - d. Detailed description of any public financial assistance Developer intends to use in development of the Project, particularly any such assistance Developer intends to request from the City.

6. Development Schedule. Section 4 should consist of the Developer's proposed schedule to complete the Project, including, as applicable, the time needed to secure financing, complete planning and design, obtain necessary approvals and permits, prepare the Site, complete construction of the improvements, and lease-up or sell the RV sites. The City anticipates that the Project will be substantially completed and open for business no later than one-year of execution of the development agreement.

7. Operating Pro Forma. Section 5 of the Proposal should consist of an operating pro forma ("Pro Forma") for the Project over at least ten years. The Pro Forma should detail all assumptions underlying the income and expense projections, including without limitation assumptions, if any, for rental rates, vacancy rates,

operating expenses, growth rates, taxes, debt services, and capital reserves. The Pro Forma should break out line items for all revenue streams and expense categories.

8. Description of Public Benefits. Section 6 of the Proposal should identify any public benefits which will result from Developer's development of the Project (e.g., creation of jobs, tax base enhancement, provision of retail goods and services, and any other beneficial impact to the Plattsmouth community).
9. Other Information. Section 7 is optional and should include any other information which Developer believes would assist the City in understanding and evaluating Developer's Proposal.

Proposal Submission, Available Site Information, & RFP Inquiries

Proposals shall be submitted in a sealed envelope, clearly marked on the outside of the envelope, "**RIVER FRONT CAMPGROUND PROPOSAL**". Proposals and all required or requested supplemental materials shall be submitted to the office of the City Clerk. Supplemental materials will not be accepted after the proposals have been opened, unless requested by the City. Developers must include five (5) paper copies and one (1) digital copy of the Proposal. Proposals and any requested supplemental materials shall become the City's property and will not be returned to Developer.

Proposals must be received by the City no later than 4:00 p.m. on March 18, 2016. It is the Developer's responsibility to ensure that the Proposals are timely received by the City; the City has no responsibility to acknowledge receipt of any Proposal. The City may decline to review any proposal submitted after the deadline. Faxed or emailed proposals will not be considered.

Proposals may be mailed or hand-delivered to:

Sandra J. Meyer
City Clerk
City of Plattsmouth
136 North 5th Street
Plattsmouth, Nebraska 68048

The City has made the following additional information regarding the Site available on the City's website at www.plattsmouth.org:

- Phase 1 Environmental Site Assessment;
- ALTA/ACSM Survey;
- Topographic Survey;
- U.S. Army Corps of Engineers Permit 2002-10903; and

- Land Conservation Easement with Deed and Use Restrictions.

Any questions regarding this RFP or Developer's Proposal should be direct to Ervin Portis, City Administrator at (402) 296-2522 Ext. 302 or eportis@plattsmouth.org. All questions must be received by the City no later than February 19, 2016.

Proposal Evaluation and Selection

Each Proposal will be evaluated by a committee of representatives selected by the City's Mayor ("Committee"). The Committee will recommend to the City Council the Proposal which best meet the evaluation criteria below and the other terms of this RFP. The Developer whose Proposal is recommended to the City Council should be prepared to present its Proposal to the City Council.

The following criteria are among those that the Committee and the City Council will consider in evaluating the Proposal(s):

- Purchase price/rent;
- Feasibility of Developer's proposed plan to acquire or lease the Site;
- Experience, record, and financial position of Developer;
- Feasibility of Project Budget and Schedule;
- Public benefits generated by the Proposal;
- Minimization of public assistance, if any; and
- Overall quality of Proposal and its adherence to this RFP.

The foregoing criteria are not intended to be inclusive and are not presented in any particular order. The Committee and the City may, without notice to Developer and in their sole discretion, expand or reduce the criteria upon which any decision regarding a Proposal is based.

Additional RFP Terms

By submitting a Proposal in response to this RFP, each Developer agrees to the following:

- Proposals will be subject to all terms of this RFP;
- The City reserves the right to waive or vary any term of this RFP with respect to one or more Proposals in cases where the City determines such waiver or variance is in the best interests of the City;
- The City reserves the right to reject any or all Proposals or parts of the Proposals, to negotiate modifications of any Proposals submitted, and to

negotiate specific work elements with a Developer into a project of lesser or greater magnitude than the Project described in this RFP or Developer's Proposal;

- The City reserves the right to terminate the evaluation process described in this RFP in the event that none of the Proposals submitted satisfies the City's evaluation criteria;
- The City will not reimburse any Developer for any cost or expense incurred by such Developer in connection with the preparation, submission, or presentation of Developer's Proposal; and
- If the City Council determines to move forward with the Developer's Proposal, Developer agrees to negotiate in good faith with the City a definitive Development Agreement which shall satisfy the contracting requirements below and otherwise set forth the terms and conditions of Developer's development of the Site.

Contracting Requirements

The selected Developer will be required to enter a Development Agreement with the City and to comply with all applicable City requirements. These requirements vary depending on the details of the development proposed by Developer and the source and amount of public investment. Some of these requirements are listed below; however, the list is not intended to be exhaustive:

- Site Conditions. The Site will be sold or leased "as-is" and it will be the Developer's responsibility to correct and pay for all costs associated with environmental or geotechnical soil problems. Any environmental reports in the City's possession regarding the Site may be reviewed by making arrangements through the City Administrator. Developer may also reasonably conduct its own environmental testing of the property by contacting the City Administrator, executing a right of entry agreement, and providing the City with the requisite insurance coverage.
- Zoning. The City shall support the developer in replatting and seeking necessary rezoning in order for the development to meet City requirements.
- Utilities. The Developer selected pursuant to this RFP shall be responsible for the installation, permitting and approval of electricity, gas, water, sanitary sewer and other utilities to the Site required for Developer's development of the Site.

- Indemnification. The Developer will indemnify, defend, and hold harmless the City and its officers and employees from all liabilities, claims, damages, costs, judgments, lawsuits, and expenses, including court costs and reasonable attorney's fees, regardless of the Developer's insurance coverage, arising directly from any negligent act or omission of the Developer, its employees, agents, or subcontractors, by reason of the failure of the Developer to perform, in any respect, any of its obligations under the Development Agreement.