Carrie Eklund
Central Services Manager
Finance Department

REQUEST FOR PROPOSALS
ADAPTIVE REUSE DEVELOPMENT PROJECT
123 S MAIN ST
RFP NO.: 1113-CD-159

7/24/13

Name of Proposing Firm: _____

Address _____ City: _____ State: ____ Zip: _____

Phone: _____ Fax: _____

E-Mail: _____

RFP Opening Time and Date 11:00 a.m., Local Time, Wednesday, December 18, 2013

Proposals will be accepted until the specified opening time and date. Any bidder attempting to deliver after the opening time and date will be refused.

Pre-Proposal Meeting 1 p.m., Local Time, Thursday, December 5, 2013

Bid Deposit/Bid Bond:	NO
Prevailing Wage	NO
Performance Bond:	NO

PLEASE MARK THE RETURN SEALED ENVELOPE:

1. RFP Opening Date and Time
2. Title of Job
3. RFP Number

RETURN PROPOSALS TO:

City of Rockford
Central Services Manager
425 East State Street, 4th Floor
Rockford, Illinois 61104
Telephone: (815) 987-5560

PROPOSALS SUBMITTED BY FASCSIMILE OR E-MAIL WILL NOT BE ACCEPTED

PROPOSAL RESULTS:

Bid results may be obtained by telephone at (815) 987-5560, by fax at (800) 380-7174. or at www.rockfordil.gov

CITY OF ROCKFORD, ILLINOIS—BIDDING GENERAL CONDITIONS

1. Pricing. The bidder shall insert price for all bid items and all other information requested in these specifications. The price shall be the *full, delivered cost* to the City of Rockford with no additions.

2. Total versus "Per Item" Awards. The City generally awards contracts based on a lump sum basis to the lowest responsible and responsive bidder. However, the City may choose to award on a per item basis. Therefore, each bidder must submit pricing for each item indicated on the bid forms. Bidders must clearly indicate which items are bid and which are not.

3. Delivery of Merchandise. Delivery terms will always be Freight On Board (FOB)–Destination. The City of Rockford accepts no responsibility for the condition of any merchandise purchased prior to acceptance by City Personnel. Failure to comply with this requirement may constitute rejection of the bid.

4. Acceptance of Merchandise at Delivery. The City of Rockford reserves the right to refuse acceptance of delivered merchandise that differs substantially from the specifications in this invitation to bid or as otherwise permitted by Illinois law.

5. Prompt Payment Act. The City of Rockford intends to comply with the governmental prompt payment act. The awarded vendor will be paid upon submission of invoices to: City of Rockford Accounts Payable, 425 East State Street, Rockford, IL 61104.

6. W-9 Request for Taxpayer Identification Number. Prior to issuance of a purchase order, the successful bidder will be required to supply the City of Rockford with a federal W-9 Request for Taxpayer Identification Number and Certification. Failure to comply with this requirement will be considered a violation of contract terms, for which the City may bar the vendor from bidding for a period of up to three years.

7. Legal Compliance. The vendor awarded this contract will comply with all Federal, State, County, and City laws, ordinances, rules and regulations, which in any manner affect the product or service placed for bid herein. Lack of knowledge on the part of the awarded vendor of applicable law will in no way be cause for release of this obligation. If the City becomes aware of violation of any laws, ordinances, rules and regulations on the part of the awarded vendor, it reserves the right to reject any bid, cancel any contract, and pursue any other legal remedies deemed necessary.

8. Legal Requirements. This contract sets forth the entire final agreement between the City of Rockford and the bidder and shall govern the respective duties and obligations of the parties. The validity of this contract, and any disputes arising from the contract, shall be governed by the laws of the State of Illinois. Any litigation under this agreement shall be resolved in the trial courts of Winnebago County, State of Illinois. Should a provision of this contract be declared invalid by a court of competent jurisdiction, it shall not affect the validity of the remaining provisions of the contract.

9. Safety. Prevention of accidents at any project is the sole responsibility of the awarded vendor and its subcontractors, agents, and employees. The awarded vendor, its subcontractors, agents, and employees shall be fully and solely responsible for the safety of this project. The awarded vendor shall retain exclusive and direct control over the acts or omissions of its subcontractors, agents and employees, and any other persons performing portions of the work and not directly employed by the awarded vendor.

10. Criminal Background Check. When necessary for the protection of citizens and/or City staff, the City may require an awarded vendor to conduct a criminal background check on all of its personnel who will have direct contact with City facilities or residents/businesses served under this contract. Personnel are defined as representatives, agents, employees, subcontractors, or anyone else who will be utilized to fulfill obligations under this contract. Criminal background checks, at a minimum, shall consist of a county level felony and misdemeanor check for each county in which the personnel resided in the last 10 years. The awarded vendor shall notify the City of any of its personnel who have been convicted of a felony or misdemeanor prior to commencing any work under this contract. At the City's discretion, personnel with any felony or misdemeanor convictions which raise a concern about the safety of building, property, or City staff/resident's personal security, or is otherwise job related (as determined by the City) shall not perform work under this contract. Once given notice that a background check(s) will be required, it must be completed within 14 calendar days so as to not delay work to be completed.

11. Control of the Work. With respect to the awarded vendor's own work, the City shall not have contractual, operational, and/or supervisory control over and/or charge of the work and shall not be responsible for construction means, methods, techniques, sequences, procedures, and programs in connection with the awarded vendor's work, since these are solely the vendor's responsibility under the agreement. The City shall not be responsible for the awarded vendor's failure to carry out the work in accordance with the agreement's terms and conditions. The City shall not have control over and/or charge of acts or omissions of the awarded vendor, its subcontractors, and/or their agents or employees, or any other person performing portions of the work not directly employed by the awarded vendor. The awarded vendor shall be considered to be an "independent contractor" pursuant to Illinois law.

12. Bid Bond. When required on the cover sheet, a bid bond for not less than 5 percent of the bid amount must accompany all bids as a guarantee that if the bid is accepted, the bidder will execute and file the proper contract. A bank cashier's check, bank draft, or certified check equal to the amount specified is acceptable in lieu of a bid bond. Bid bonds of the two lowest firms will be retained until the contract is awarded.

13. Performance Bond. When required by the specifications herein, the awarded vendor shall furnish a performance bond equal to the amount of the contract, acceptable to the City, within 14 calendar days after notification of contract award. Failure to furnish the required bond within the time specified may be cause for rejection of the bid and any bid deposit may be retained by the City as liquidated damages and not as a penalty.

14. Taxes. No charge will be allowed for taxes from which the City of Rockford, Illinois is exempt. The City of Rockford, Illinois is not liable for the Illinois Retailers' Occupation Tax, the Service Occupation Tax or the Service Use Tax. The City is exempt from the Federal Excise and Transportation Tax.

15. Withdrawal of Bids. Firms may withdraw or cancel their bids at any time prior to the advertised invitation to bid opening. After the opening time, no bid shall be withdrawn or cancelled. All bids shall be firm and valid for a period of sixty (60) calendar days. If a bidder to whom a contract is awarded refuses to accept the award, the City may, at its discretion, suspend the bidder for a period of time up to three (3) years.

16. Subcontracting. The bidder shall provide information for all subcontractors, leased operators/equipment, and suppliers and all other information requested in the Subcontractor and Supplier Detail Forms attached. Requests for deviations from the completed detail forms submitted must be made in writing, and reviewed and approved by the City's Diversity Procurement Officer and the Central Services Manager or designee. The awarded vendor may not subcontract any portion of the contract after award without written consent of the City of Rockford

Central Services Manager. When subcontractors are used, the awarded vendor is required to pay subcontractors promptly after completion of work. Delay of payment is prohibited.

17. Termination of Contract. The City of Rockford reserves the right to terminate the contract in its entirety or in portions, upon written notice to the awarded vendor, if the Rockford City Council does not appropriate sufficient funds to complete the contract or in the event of default by the awarded vendor. Default is defined as failure of the awarded vendor to perform any of the provisions of this contract or failure to make sufficient progress so as to endanger performance of this contract in accordance with its terms. In the event of default, the City may purchase the product(s) and/or service(s) from other sources and hold the defaulting company responsible for any excess costs occasioned thereby. The City may require payment of liquidated damages for non-performance. Should default be due to failure to perform or because of a request for a price increase, the City reserves the right to remove the firm from the City's bidder list for a period of up to three years.

18. Late Bids and Proposals. Regardless of cause, late bids and proposals will not be accepted and will automatically be disqualified from further consideration. It shall be solely the vendor's risk to ensure delivery at the designated office by the designated time. Late bids and proposals will not be opened and may be returned to the awarded vendor at their request and expense.

19. EEO Forms. Each firm shall be required to submit with its bid information all EEO forms included in the invitation to bid package. Any bid which fails to include the properly completed compliance items will not be read and will not be considered. All subcontractors shall also be required to comply with the same EEO forms as the firm.

20. Restrictive or Ambiguous Specifications. It is the responsibility of the bidding firm to review the invitation to bid specifications and to notify the Central Services Manager if the specifications are formulated in a manner that would unnecessarily restrict competition. Any such protest or question regarding the specifications or invitation to bid procedures must be received by the Central Services Division not less than seventy-two hours prior to the time set for the opening. In the event a contract term is not defined within the contract document, the term will be given its ordinary dictionary definition.

21. Bid Protest. Firms wishing to protest bids or awards shall notify the Central Services Manager in writing within 7 days after the invitation to bid opening. The notification should include the bid number, the name of the firm protesting, and the reason why the firm is protesting the bid. The Central Services Manager will respond to the protest within seven (7) calendar days. A successful protest may result in the reversal of a previously awarded contract.

22. Disputes. In case of disputes as to whether or not an item or service quoted or delivered meets specifications, the decision of the Central Services Manager, or authorized representative shall be final and binding to all parties. The Central Services Manager has the right to waive technicalities as they see fit. The Central Services Manager may request a written recommendation from the head of the department using the equipment or service being procured.

23. Exceptions. Any deviations from these specifications shall be noted and submitted with the bid. Failure to address deviations from specifications may result in bid rejection.

24. Acceptance/Rejection of Bids. The City of Rockford reserves the right to accept or reject any or all bids or proposals at any time, for any reason, including but not limited to the Rockford City Council not appropriating

sufficient funds to purchase equipment or complete the contract. The City may make awards in any manner deemed in the best interest of the City.

25. Prevailing Wage. When indicated on the cover page of this document, this contract calls for the construction of a "public work," within the meaning of the Illinois Prevailing Wage Act, 820 ILCS 130/.01 *et seq.* ("the Act"). The Act requires awarded vendors and subcontractors to pay laborers, workers, and mechanics performing services on public works projects no less than the "prevailing rate of wages" (hourly cash wages plus fringe benefits) in the county where the work is performed. When required, awarded vendors are responsible for paying current prevailing wage rates, as posted on the Illinois Department of Labor's website at: http://www.state.il.us/agency/idol/rates/rates.HTM. It is the awarded vendor's responsibility to verify current wage rates, as they are updated monthly. All awarded vendors and subcontractors rendering services under this contract must comply with all requirements of the Act, including but not limited to, all wage, notice, and record keeping duties.

26. Certified Payroll. All Certified Payroll reports required to be submitted under the Prevailing Wage Act, 820 ILCS 130, must be submitted monthly via email, in Excel or some format compatible with Excel, to certified.payroll@rockfordil.gov.

27. Substance Abuse Prevention. When required by Illinois State Statutes, awarded vendors must have in place and file with the City a written program for prevention of substance abuse among its employees. This program must include pre-hire, random, reasonable suspicion, and post-accident drug and alcohol testing, as required by the Substance Abuse Prevention on Public Works Projects Act.

28. Apprenticeship Requirement. For construction contracts over $50,000, awarded vendors must participate in apprenticeship and training programs approved and registered with the United States Department of Labor's Bureau of Apprenticeship and Training for all Trades that will be in the awarded vendor's (or his subcontractor's) employment, with each worker receiving the required apprenticeship/training appropriate to his trade. Owners or work performed by owners is not exempt from the apprenticeship and training requirement.

29. Indemnification. To the fullest extent permitted by law, the awarded vendor shall indemnify and hold harmless the City, its officers, representatives, elected and appointed officials, agents, and employees from and against all claims, damages, losses and expenses, including but not limited to attorney's fees, arising out of or resulting from the awarded vendor's performance of work under this agreement, and indemnifies and agrees to defend and hold harmless the City against any and all losses, claims, damages, and expenses arising from the work performed hereunder of the erection, construction, placement, or operation of any scaffold, hoist, crane, stay, ladder, support, or other mechanical contrivance in connection with such work including but not limited to losses, claims, damages, and expenses arising pursuant to claims asserted against the City pursuant to theories premised upon section 414 of the Restatement (Second) of Torts and section 343 of the Restatement (Second) of Torts.

This indemnification agreement shall not be limited in any way by any limitations on the amount or type of damages, compensation, or benefits payable by or for the awarded vendor under Worker's Compensation Acts, disability benefit acts, or other employee benefit acts, and serves as an express agreement to waive the protection of Kotecki v. Cyclops Welding Corp., 146 Ill.2d 155, 585 N.E.2d 1023 (1991) in Illinois.

Further, the awarded vendor agrees that it is solely responsible for compliance with all safety laws applicable to the work performed hereunder, including but not limited to the Occupational Safety and Health Act of 1970 and the Construction Safety Act of 1960 and all standards and regulations which have been or shall be promulgated by the agencies which administer the Acts.

Under no circumstances shall the awarded vendor, its subcontractors, agents, and employees be required to indemnify the City for its own negligence.

30. Officers. Each bidder affirms, by submission of a response to this bid or request for proposals, that no officer of the City of Rockford, Illinois, is directly or indirectly interested in the proposal for any reason of personal gain.

31. Non-Waiver. The failure by the City to require performance of any provision shall not affect the City's right to require performance at any time thereafter, nor shall a waiver of any breach or default of this contract constitute a waiver of any subsequent breach or default or a waiver of the provision itself.

32. Professional Services Selection Act. The City of Rockford intends to comply with 50 ILCS 510/5 governing the selection of professional services. Any reference in these terms and conditions to supplying pricing or price as a determining factor in selection do not apply for services covered by said act.

33. The City of Rockford reserves the right to accept or reject any and all proposals and to waive technicalities in submitted bids.

BID REQUIREMENTS FOR
EQUAL EMPLOYMENT OPPORTUNITY

All bidders seeking to do business with the City of Rockford are **REQUIRED** to submit with any formal, sealed bid all of the following documents and information, attached herewith, completed and signed:

1. Equal Employment Opportunity Affirmative Action Plan Statement of Policy.

2. The Statement of Non-Compliance and Certificate of Non-Segregated Facilities.

3. The Contractor or Vendor Workforce Data Form listing all current employees, by classification, directly employed by the bidder. All categories of information requested must be supplied.
   Note: The number of employees must be entered under each category (no check marks)

   Below are the Federal definitions of the following racial groups accepted as minorities by the City of Rockford:
   Black: A person having origins in any of the Black racial groups of Africa, not of Hispanic origin.
   Hispanic: A person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race.
   Asian: A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes for example, China, Japan, Korea, the Philippine Republic and Samoa.
   American Indian or Alaskan Native: A person having origins in any of the original peoples of North America.

4. Your State of Illinois Pre-Qualification Certification Number, issued by the Illinois Department of Human Rights for the Illinois Department of Human Rights Act, must provide expiration date entered in the place provided therefore.

5. Certificate of Non-Barred Bidding

6. All executed Subcontractor/Leased Operator and Supplier forms.

If you have not obtained your State of Illinois Pre-Qualification Number (item #4), by signing these documents you agree to make application for this number within 30 days from the date of bid opening.

ANY BID WHICH FAILS TO INCLUDE THE CITY OF ROCKFORD EEO PAGES 2, 4, AND 5, COMPLETED AND SIGNED WITH YOUR SEALED BID WILL NOT BE READ AND WILL NOT BE CONSIDERED – NO EXCEPTIONS.

Falsification of any required Equal Employment Opportunity or Affirmative Action information on the part of the bidder could result in rejection of the bid submitted or in the case where a contract has already been awarded, in the cancellation of said contract.

Any questions pertaining to E.E.O. requirements should be addressed to Ron Moore, Diversity Procurement Officer, Legal Department, 425 East State Street, Rockford, Illinois 61104, Phone: (815) 987-5622 or ron.moore@rockfordil.gov

EQUAL EMPLOYMENT OPPORTUNITY
AFFIRMATIVE ACTION PLAN
STATEMENT OF POLICY

It is the policy of this company, _____ to provide equal employment opportunity without regard to race, religion, color, national origin, handicap, age or sex through a program of positive action affecting all employees. In this program, our company carries out the requirements of Federal Executive orders 11246 and 11375, Civil Rights Act of 1964, Equal Employment Act of 1972, and all other applicable laws, and indicates its active support of the principle of equal opportunity in employment.

At present, _____ % of our work force are minorities and _____ % of our work force are females, and we will attempt to utilize minorities and females through a positive, continuing program in all jobs for which we contract in the future. Our company will utilize referrals from the City of Rockford's Diversity Procurement Officer for use of minorities and females regarding any future job vacancies.

It is also our intent to make efforts to purchase supplies or equipment from small business concerns located in the City of Rockford or counties of Winnebago or Boone and owned in substantial part (at least 51 per cent) by minorities or females.

_____ is the official who will be responsible for implementing this policy statement.

_____ will be designated as the Equal Opportunity Officer in our company, responsible for submission of all required equal employment opportunity documents.

In addition, _____ is hereby authorized to sign payroll as well as this company's officers. (NOTE: If only officers will be authorized to sign payrolls, please fill in "No One" in this space.)

STATEMENT OF NONCOMPLIANCE

If the equal employment opportunity hearing committee determines that a contractor, subcontractor/leased operator of equipment or bidder is not in compliance with this chapter, (also known as Chapter 11, Article III the City of Rockford Equal Opportunity Employment Ordinance), the hearing committee shall issue and serve upon such person a written statement of noncompliance setting forth the manner in which it finds such person has violated this chapter, and imposing and/or requiring appropriate sanctions, including, but not limited to any and/or all of the following:

a. Denying, suspending or revoking qualifications, or declaring the contractor or subcontractor irresponsible and ineligible for future contracts or subcontracts until such time as the contractor or subcontractor shall demonstrate to the equal employment opportunity hearing committee that it is in compliance;

b. Withholding or delaying payment on the contractor or;

c. Suspending, avoiding or canceling contract work.

CERTIFICATION OF NON-SEGREGATED FACILITIES

The bidder certifies that he/she does not maintain or provide for his/her employees any segregated facilities at any of his/her establishments, and that he/she does not permit his/her employees to perform their services at any location, under his/her control, where segregated facilities are maintained. The bidder agrees that a breach of this certification will be a violation of the Equal Opportunity clause in any contract resulting from acceptance of this bid.

The bidder agrees that (except where he/she has obtained identical certification from proposed subcontractors/leased operators of equipment for specific time periods) he/she will obtain identical certification from proposed subcontractors/leased operators of equipment from the provisions of the Equal Opportunity clause, and that he/she will retain such certification in his/her files.

CONTRACTOR OR VENDOR WORKFORCE DATA FORM

BIDDERS NAME:

NUMBER OF ALL EMPLOYEES MUST BE ENTERED FOR EACH CATEGORY ---
(No Check Marks Or Bid Will Not Be Accepted)

	MALES					FEMALES				
ALL JOB CLASSIFICATIONS	**W**	**B**	**H**	**A**	**I**	**W**	**B**	**H**	**A**	**I**

W - WHITE B - BLACK H – HISPANIC A - ASIAN OR PACIFIC ISLANDER I - AMERICAN INDIAN

ILLINOIS DEPARTMENT OF HUMAN RIGHTS CERTIFICATION

Our Illinois Department of Human Rights Number is:

Must Provide Expiration Date:

CERTIFICATE OF NON-BARRED BIDDING

The undersigned certifies that it is not barred from bidding on this contract as a result of a conviction for the violation of State laws prohibiting bid rigging or bid rotating. The undersigned also certifies that current or prospective employees, contractors, and subcontractors/leased operators of equipment are not listed as Excluded Individuals/Entities with the US Government, as maintained by the US General Services Administration.

By signing below, the firm agrees that all information provided in the previous pages is accurate, and that if the firm below does not currently have a Department of Human Rights number they will apply for one within thirty days with the State of Illinois.

Authorized Signature

Title

Firm

Our firm is a:

Minority Business Enterprise _____ City-Certified? Yes ____ No ____

Women Business Enterprise _____ City Certified? Yes ____ No ____

Neither _____

(Revised 12/21/09

Request for Proposals

Adaptive Reuse Development Project

For

123 S. Main Street
Downtown Rockford, Illinois

RFP NO: 1113-CD-159
Issue Date: November 15, 2013
Due Date: December 18, 2013

Request for Proposals
Downtown Adaptive Reuse Development Project
123 S. Main Street, Rockford, IL

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EXECUTIVE SUMMARY

Redevelopment Opportunity:	The City of Rockford (City) is seeking proposals for the redevelopment of a City-owned historic building in downtown Rockford. Redevelopment of the site would enhance recent streetscape infrastructure investments and strengthen past and current redevelopment plans under consideration by the City.
Location:	The redevelopment site is located at 123 S. Main Street (See Attachment A for additional information).
Developer (s):	Qualified developers must have experience in planning and developing high quality mixed-use developments. Developers should also have the financial means to begin construction within one (1) year of signing the Selected Developer Agreement.
Developer Selection Process	1. Submittal of proposals. 2. Pre-submittal Meeting 3. Evaluation Process and Selection Criteria 4. Recommendation to Council. 5. Development Agreement negotiated and approved.
Proposals Due:	**11:00 a.m. on December 18, 2013**

SECTION 1: BACKGROUND, OVERVIEW, AND GOALS

A. Background

The City of Rockford, with a population of over 150,000, is located 90 miles northwest of Chicago, IL and 70 miles south of Madison, WI. Significant public and private investment is occurring along our major corridors and downtown area. The City is currently considering several redevelopment plans in the downtown area. 123 S. Main Street provides another great economic catalyst for our community.

The city-owned property is located at the northwest quadrant of Main and Elm Streets. The building was constructed in 1856 and has a Romanesque and Greek revival architectural style (see Attachment A). With a corner location, the building is easily served on Main and Elm Streets as well as an alleyway at the rear of the building. Please note the northern section of the building, currently occupied by Rockford Office Supply on the first floor, is not owned by the City of Rockford.

123 S. Main Street is located within the downtown arts and entertainment district. Nearby assets include the BMO Harris Bank Center directly across the street. Other amenities include the Coronado Performing Arts Center, Nordlof Center, Memorial Hall, Rockford Public Library, Rock Valley College Downtown center, and Winnebago County Courthouse, to name a few. Additionally, the building is located on a section of Main Street that was reconstructed and reconfigured to improve pedestrian and vehicular flow while allowing outdoor venues for retail and restaurants.

This building is viewed by the City as a key redevelopment opportunity and economic generator by virtue of its inclusion within Rockford's River Edge Redevelopment Zone and within River District North TIF District. Additionally the building's location in the Historic District offers developers 20% Federal Historic Preservation Tax Credits and 25% State Historic Preservation Tax Credits for Qualified Rehabilitation Expenditures. Developers are encouraged to prepare creative redevelopment alternatives for this property that meet the goals of the City.

B. Overview

The vision of the City of Rockford 2020 comprehensive plan identifies the downtown area as part of the City's overall goal to encourage mixed use developments in existing areas of the city, a pedestrian-oriented community, and balance overall economic and geographical growth patterns.

C. Goals

The City of Rockford is issuing this Request for Proposals (RFP) to qualified developers to complete the rehabilitation and adaptive reuse of a three-story, 15,300 square foot building at 123 S. Main Street. The City will enter into a Development Agreement to the firm submitting a proposal containing a development plan that is:

1. Consistent with historic redevelopment and adaptive reuse of the site;

2. Most consistent with the River District Framework Plan and Rock River Development Partnership Focus Area Study, and other downtown planning documents that have been incorporated into the City's 2020 Comprehensive Plan;

3. Exhibits the greatest ability to generate the highest revenue and economic impact for the City;

4. Demonstrates the developer's experience, financial strength, and record of accomplishing high-quality historic preservation and urban redevelopment projects of similar scope.

SECTION 2: GOALS, OBJECTIVES & DEVELOPER RESPONSIBILITIES

A. Goal 1: Mixed Use Concept (Live, Work, Shop, Learn)

Proposals should show a good level of mixed use of the building, commensurate with the scale of the building. Based on the Rockford 2020 Plan, the River District Framework Plan, and the Rock River Development Partnership's Redevelopment Framework and Phase I Implementation Strategies, the City sees this site's primary potential to be mixed use commercial space for restaurants or retail on the first floor. Proposals that do not include first-floor retail space will be ranked lower for this category than proposals that do include first-floor retail. The second and third floors could be used for market-rate residential, office or similar uses.

B. Goal 2: Building Historic Character & Adaptive Reuse

This property is located within the West Downtown Rockford Historic District and is listed as a primary structure to the District. A successful proposal will preserve, to the greatest extent possible, the historic and architectural integrity of the building and its site. Since the structure is generally sound and the character and exterior of the building must be consistent with published guidelines, any proposed modifications to the building must meet the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (Both are available at http://www.nps.gov/history/standards.htm). Proposals will be subject to review by IHPA for compliance with these Standards and Guidelines, and may be subject to review by the Rockford Historic Preservation Commission.

C. Goal 3: Impact on the Surrounding Area

A successful proposal must have a positive impact on nearby uses. Some examples of encouraged uses for this site and area are: Retail, employment, educational facilities, market-rate housing. Additionally, successful proposals will leverage and enhance the pedestrian-oriented infrastructure.

D. Goal 4: Environmental

A successful proposal will be environmentally responsible, incorporating green building techniques. As with any development in Rockford, it must meet the requirements of the 2012 International Energy Conservation Code as adopted and amended by the State of Illinois, Energy Efficient Building Act.

E. Developer Responsibilities

The developer will be responsible for the overall development of the site. Development responsibilities will include, but are not limited to, leading the effort in design, oversight and project financing. The City of Rockford acquired this property by purchase with General Fund expenditures. The purchase price for the developer of this property will include these costs and other considerations.

F. Financial and Market Capacity to Carry Out Redevelopment of the 123 S. Main St. Building

This redevelopment project will require the renovation of an approximately 15,300 sq. ft. three (3)-story building (south portion contains three floors), with full basement. Bearing that in mind, the City's goal is to find a developer who can demonstrate the capacity to execute a project on that level, including the following:

a. Successful completion of projects of similar scope, value and quality;

b. Organizational and managerial capacity and ability to successfully execute and deliver projects of similar or larger scope, value and quality;

c. Financial capability to successfully complete the project.

d. Capability to develop a project management plan that could phase the project and develop market viability to lease and/or sell the space in a timeframe that sustains the financial viability of the project.

High priority will be given to a developer that can efficiently perform the necessary exterior work consistent with historic standards.

SECTION 3: SITE INFORMATION

A. Historical Background

123 S. Main Street was originally constructed during 1856. By 1874 it had become the Griggs House. An 1886 photo reveals that there were storefronts along South Main Street, while the "Hotel "entrance is along Elm Street. The structure was constructed L-shaped on the second and third floors providing windows for rooms on both sides of the hallway. The rooms along South Main Street had a small balcony at that time. According to historic sources it became the Chick House in 1888 and operated as such for at least 35 years. Although the storefront(s) at the south end of the South Main frontage, 123 and 121 South Main Street has had a variety of uses over the years ranging from Williams Pool Hall in 1886, the Ray Wharton Hardware Store, and most recently, the Soda Bar, the storefront comprising the northern one-third of the structure (not owned by the City) has been the location of Rockford Office Supply since at least 1912. During World War I, Camp Grant Soldiers and relatives and friends stayed at the Chick House and accounted for thousands of hotel room stays.

The Chick House structure is unique in that it is the only Pre-Civil War commercial structure remaining on the west side of downtown. During the mid to late 1800's, it was one of about one dozen hotels of similar size in the downtown. One that shows up in numerous historic photos is the Holland House built the same year as the Chick House.

B. Physical Setting

The property is approximately 720 feet above mean sea level, sloping slightly downhill in an easterly direction toward the Rock River. The underlying soil on the property is likely to be alluvium, a mixture of gravel, sand, silt, and clay. The site does not lie in a Special Flood Hazard area as determined by FEMA.

C. Nearby Uses

The 123 South Main Street Building site is centrally located on the south side of Rockford's downtown. It sits directly on South Main Street just one block south of the West State and Main Street center of Rockford's Downtown. It is located one block north of eastbound Business US 20, one Block west of Northbound Illinois Route 2, one block east of southbound Illinois Route 2 and 3 blocks south of westbound Business US 20. It sits adjacent, across Elm Street, to the BMO Harris Bank Arena and diagonal across S. Main Street and Elm Street from Parking Lot C. Other nearby uses includes the Winnebago County Courthouse, the Federal Courthouse, the Zeke Giorgi State Office Building, and several large office buildings such as Stewart Square, the Trust Building and the Talcott Building.

D. Zoning

The property is zoned C-4, Urban Mixed Use District. The zoning ordinance text states:
The "C-4" district is to maintain and promote a compact, pedestrian-oriented, mixed-use district with a diverse mix of residential, office, business, government, cultural, and entertainment uses by promoting a walkable environment by protecting those streets with "intact" street walls, encouraging residential living environments that provide a broad range of housing types such as lofts, town homes, and condominiums.

The Urban Mixed-Use District is intended to be viable and vital residential areas by permitting residential uses in a wide variety of densities and locations and promote the continued use and or redevelopment of historically significant buildings and older buildings that contribute to the character of the district.

In preparing a development concept for the 123 S. Main St. property, respondents should refer to the City's zoning and development regulations. These materials can be found at: http://www.rockfordil.gov/community-economic-development/construction-development-services/building-codes,-ordinances,-and-amendments.aspx.

E. Financial Incentives

1. **Tax Increment Financing (TIF) District.** The 123 S. Main Street Building and site are located within the River District North TIF District. The City will provide TIF Financing when deemed necessary and appropriate to complete the project. Any Development proposal utilizing TIF Financing should assume a "pay-as-you-go" financing program. Debt financing through the City of Rockford will not be available.

2. **Brownfields Program.** The City is committed to utilize its U. S. EPA Brownfield Cleanup Revolving Loan Fund to the extent possible for eligible environmental cleanup. The City will apply for USEPA Grant funding or utilize its Brownfield RLF Program as required.

3. **State of Illinois Rivers Edge Redevelopment Zone**. The 123 S. Main St. property is located within Rockford's River Edge Redevelopment Zone, a program established by the State of Illinois that offers various incentives for redevelopment. The most frequently used incentive is exemption from sales tax on construction materials (currently at 8.25%). For a full listing of incentives, go to http://www.rockfordil.gov/community-economic-development/economic-development-division/riveredge-zone.aspx.

4. **New Market Tax Credits.** The New Market Tax Credit (NMTC) Program is incorporated as section 45D of the Internal Revenue Code and it is designed to permit individuals and corporate tax payers to receive a credit against federal income taxes for making Qualified Equity Investments (QEIs) in qualified community development entities (CDEs). These investments are expected to result in the creation of jobs and material improvements in the lives of residents of low-income communities. The City of Rockford would provide assistance to the selected developer in the efforts to secure these tax credits for 123 South Main Street Building project.

5. **Federal & State Historic Rehabilitation Income Tax Credits**. The 123 South Main Street Building's location within the West Downtown Rockford Historic District and designation as a primary structure (it is a National Register site) makes its redevelopment eligible for the federal historic preservation income tax credit, currently set at 20 percent. Location within the River Edge Zone as well as the Historic District qualifies this site for State Historic Tax Credits in the amount of 25 percent. Illinois State Tax Credit benefits are scheduled to remain in place until at least the end of 2016. Combined, the HTCs total 45 percent on this project.

   Federal Historic Rehabilitation Tax Credit program information is available at: http://www.nps.gov/hps/tps/tax/.

   Federal Historic Rehabilitation Tax Credit program information is available at: http://www.commerce.state.il.us/dceo/Bureaus/Business_Development/Tax+Assistance/HistoricPreservationPA.htm.

SECTION 4: PROPOSAL SUBMITTAL REQUIREMENTS

The following are the response requirements for this RFP:

- Ten (10) sets of proposals must be submitted, preferably in 8 ½" X 11" format with tabbed sections corresponding to the requirements outlined below. Any images, site plans, elevations, etc. should be in scalable format and put on sheets no larger than 11" x 17". **Maximum length of submissions is 30 pages, exclusive of sheets with drawings or site plans.**

- One (1) CD or flash drive containing the entire proposal in either MS Word or PDF must also be submitted. Contents of the CD or flash drive must match the hard copy submitted.

SECTION 5: RESPONSE FORMAT

The following items are to be included in your proposal response, in the order listed. Deviation from this may render your proposal non-responsive.

A. Transmittal/ Acknowledgement Letter

All proposals must be transmitted with an appropriately executed transmittal letter. This letter is required to address all of the City's goals for this project as outlined on pages 4 and 5 of this document.

B. Understanding of Request – 4 pages maximum

Summarize your understanding of the request and requirements, providing any information you feel will aid the City in making its decision.

C. Development Approach

1. Project Concept Description. Provide a narrative description of the proposed redevelopment/re-use project. Proposed uses, parking provisions, phasing, circulation, concept and building design objectives must be addressed. Describe how the proposal accomplishes the City's goals as described on pages 4 and 5 of this document.

2. Schematic Design. Provide a schematic design, including site plan data and schematic floor plans for each level of the building. Plans shall be no larger than 11" x 17" in size and shall include:

    a. Overall site plan that addresses traffic circulation and providing parking and pedestrian access.

    b. Elevation drawings of each façade and details on the proposed façade restoration.

    c. Floor plans showing proposed uses for each floor of the building, including basement.

    d. As part of the review process, developers are also encouraged (but not required) to submit additional architectural detail they feel best represents their proposal.

D. Development Team Qualifications

The development team information must include information adequate to permit a preliminary assessment of the developer's current financial strength and capacity to successfully undertake the project for each member of the development team.

2. **Organization Form, Team Members, and Personnel.** Provide the following information for each of the team members who will be responsible for each component of the project (design team, construction oversight, construction financing, and operational financing plans):

    a. Complete identification of the developer and all associated team members (participating firms);

    b. The specific legal entity description and the jurisdictions under which the developer is organized;

    c. The principal representatives of each participating firm;

    d. Evidence of management continuity with each major participating firm; and

    e. Identification of the individual(s) authorized to negotiate and bind the developer.

    The development team information must include information adequate to permit a preliminary assessment of the developer's current financial strength and capacity to successfully undertake the project for each member of the development team.

3. **Relevant Experience.** Proposals shall describe the relevant experience of each participating firm in the planning, redevelopment, financing and management of similar

projects. Include information on the current status of these projects as well as evidence that the developer is financially solvent / stable and has a track record of securing financing of a similar magnitude and complexity. Proposals shall also include a minimum of three references who may be contacted regarding each participating firm's role and performance in connection with similar projects, along with the express written permission to contact these references. References shall include name, affiliation, address, e-mail and telephone number.

Note: The City of Rockford encourages the inclusion of local design professionals and contractors for this project.

4. **Management Team.** Describe the proposed Management Team that will be responsible for managing the day-to-day activities of the 123 South Main Street Building, once it is redeveloped. Specifically list and detail the roles and responsibilities of each individual. List all principals, firm background, and experience and provide examples of comparable projects that have been undertaken. Enclose current resumes for all members of the Management team.

5. **Project Management Plan.** Include a description of the project management plan addressing the issues set forth below:

    a. Technical services to be provided by the developer and each member of the development team;

    b. Organization of the development team, responsibilities for project management, the specific experience of each team member; and

    c. Description of management, coordination and scheduling of required City agency reviews / approvals.

    d. Detailed project phasing plan.

E. Development Costs, Revenues and Financing Proposal

1. An estimate of total costs for redevelopment shall be submitted in sufficient detail to permit evaluation. The site is located in the Rockford River Edge Redevelopment Zone. Sales tax will not need to be paid on construction materials because of the building location in Rockford's River Edge Redevelopment Zone. Development costs shall identify major line items including but not limited to:

    a. Architectural, engineering, interior design and other third-party soft costs;

    b. Project overhead and management;

    c. Structural rehabilitation and site costs

    d. Direct construction costs for interior build out (tenant improvements); detailed listing

    e. Financing fees and construction loan costs, as applicable; and

    f. Development fees.

2. A successful proposal will also include, as available, qualifications and letter of commitment from bondable general contractor(s) for all construction or rehabilitation that is to be completed.

F. Financial Strength of Development Team

1. Provide an in-depth Financial Plan detailing the sources of capital and terms, and describing the financial resources of the development team and financial capacity to complete the project. The Financial Plan must outline the prospective financing and contain a Sources and Uses section. These shall include but not be limited to equity investment, senior term debt, subordinated debt, tax credits, and grant funds from Federal, State, local, or private sources. The Financial Plan must identify the specific investment to be made by the developer, as well as any credit enhancements or additional security. The Financial Plan must also present a budget for the ongoing maintenance and management of the rehabilitated 123 S. Main St. Building.

2. The Financial Plan should include a proposal relating to proposed terms and conditions and amount of a site purchase.

3. The City of Rockford will provide TIF funding to assist in the rehabilitation of the 123 S. Main Street building. The City will also make its best efforts to obtain a U.S. EPA Brownfields Cleanup Grant or Supplemental Revolving Loan Funds and / or Illinois EPA River Edge Redevelopment Zone Funding for environmental cleanup to the extent possible. The submission needs to include a reasonable proposal to utilize these forms of City assistance.

4. The submission should include proposed terms and conditions of a sale or lease. For a lease structure, include minimum annual rents, any contingent rent, plus the term of the lease (not to exceed 99 years) and any requested special consideration or conditions.

5. The submission should include a disclosure of competitive projects that the developer is involved in, as well as any previous or ongoing bankruptcy or litigation.

6. Respondents should provide a list of banking references for previous projects that are similar in nature.

G. Project Development Schedule.

A project schedule delineating the pre-design, design, design review, land use and historic approvals, façade rehabilitation/restoration and interior build out, operation, and management phases of the development is required. This schedule should include at least one public presentation of the proposal to explain to interested members of the general public what the plan for this property is.

H. Special Conditions

Any and all special conditions that the developer may offer or request from the City are required to be listed. The developer will need to elaborate on costs, terms, payment amounts, conditions, timing and such other pertinent factors, if selected for further negotiations.

I. Checklist

The Checklist in Attachment C should be included in the response to the RFP, identifying that each of the items listed in the checklist have been addressed.

J. Contact Information. Provide (a) company name, (b) company address, (c) phone number, (d) name of Principals, and (e) primary contact person (include e-mail address).

SECTION 7: RFP SELECTION PROCESS

A. Pre-Submittal Meeting

A pre-submission meeting will be held at **1:00 p.m. on Thursday, December 5, 2013** at Rockford City Hall Council Chambers, 425 East State Street. Attendance at this meeting is not required of respondents, but is highly recommended, as no additional amendments to the original RFP will be issued. All questions and answers from this meeting will be distributed in written format following the meeting.

B. 123 S. Main St. Building Tour

The day of the meeting will also provide an opportunity for those present to tour the 123 S. Main St. Building. Tour participants are encouraged to wear sturdy shoes and bring hardhat and flashlight. There is no heat in the building at this time.

Participants who choose to tour the structure should ensure that they have any engineers, structural engineers or other development team members present so that they may review the existing structural conditions to their satisfaction. Tour participants will be asked to sign a liability waiver.

Additional times to tour the 123 S. Main St. Building can be arranged by contacting Xavier Whitford [see Section 7 (c)]. Notice shall be sent out concerning any additional tours that are scheduled.

C. City Contact

Please contact Mrs. Xavier Whitford, Financial Analyst, 815-967-6938, Xavier.whitford@rockfordil.gov with any questions.

D. Proposal Deadline

The proposals must be submitted in sealed envelopes or boxes by **11:00 a.m. on Wednesday, December 18, 2013** to:

City of Rockford
Central Services Manager
Rockford City Hall, 4th Floor
425 East State Street
Rockford, IL 61104

Note: Late proposals will not be accepted and will be immediately discarded.

E. Review of Submitted Proposals

1. After the proposal deadline, representatives from the City's Community and Economic Development Department and Finance Department will review all submitted proposals to ensure they meet with the Proposal Submission Requirements outlined in this Request for Proposals. Failure to meet with the Submission Requirements may constitute a basis to eliminate that proposal from further consideration. However, the City of Rockford may at its discretion, waive any non-conformity or take any other action or fail to take any action, as contemplated by the Disclosure and Disclaimer.

2. Following this review process, all proposals that meet the Submission Requirements will be forwarded to a Proposal Review Panel which will include representatives of the City and other stakeholders. The panel will then review the proposals based upon the degree to which they address the City's goals identified on pages 4-5 of this document. If necessary, a short list of submittals will be developed by the Proposal Review Panel. Interviews may be conducted with each developer submitting a proposal. During these interviews, the technical and financial aspects of the proposals will be explored. Developers will have an opportunity to

clarify their proposals, as well as to advise the Proposal Review Panel of any additional factors which they may deem as relevant.

3. Developers may also be asked to present their proposals at a public meeting. In this event, there will be a time limit imposed on each developer (to be determined).

4. Following this review process, the Proposal Review Panel shall submit recommendations to the City Council in the form of a Memorandum which will be read in and referred to the Planning and Development Committee. Following Committee Recommendation, the City Council shall make the final decisions concerning the proposal(s).

5. The Development Agreement terms and conditions will be negotiated with the selected developer. The terms and conditions of any Development Agreement will require City Council approval. Approval of any Development Agreement is also contingent upon demonstrated and documentable project financing, complying with applicable deed restrictions or securing any necessary waivers or consents.

6. Upon completion of the review and, if required, interview process, the City will negotiate contract terms with its first choice. If terms are not agreed upon by the City and the selected firm, the City may discontinue negotiations and proceed with its second choice. The final proposal will be approved by Rockford City Council.

7. Development Agreements are not binding until they are approved by the City Council and executed by all parties involved. Development teams excluded from further consideration at any time in the evaluation and selection process will be notified in writing. In the event that none of the proposals meet the requirements set forth by this RFP, a second bid round may be considered and initiated by the City.

F. The following is the approximate schedule for this RFP:

• Request for Proposal Issued	November 15, 2013
• Pre-Submission Meetings & Site Visit	December 05, 2013
• Proposal Submissions Deadline	December 18, 2013
• Proposal Reviews	December – January, 2014
• City Council Selects Developer	January 27, 2014

SECTION 8: DISCLOSURE AND DISCLAIMER

This Request for Proposal ("RFP") is being furnished to the recipient by the City of Rockford (the "City") for the recipient's convenience. Any action taken by the City in response to submissions, made pursuant to this RFP, or in making any awards or failure or refusal to make any award pursuant to such submissions, or in any cancellations of awards, or in any withdrawal or cancellation of this RFP, either before or after issuance of an awards, shall be without any liability or obligation on the part of the City and its officials and employees.

The City, in its sole discretion, may withdraw this RFP before or after receiving submissions, may accept or reject any or all submissions, and may waive any irregularities if the City deems it appropriate and in its best interest. The City shall determine the responsiveness and acceptability of any proposal submitted.

Prospective developers and their design teams should rely exclusively on their own investigations, interpretations and analyses in preparing and submitting proposals, and should not rely on communications with City staff or officials. The City makes no warranty or representation

that any submission, which conforms to the requirements of this RFP, will be selected for consideration, negotiation, or approval.

The City and the selected developer will be bound only if and when a submission, as same may be modified, and any applicable definitive agreements and budgetary authorizations pertaining thereto, are approved by the City Council of the City of Rockford and then only pursuant to the terms of the definitive agreements executed among the parties.

All submissions and supporting data shall be subject to disclosure as required by State law. All submissions shall be submitted in sealed form and shall remain confidential to the extent permitted by State statutes and ordinances of the City of Rockford, until the data and time selected for opening the responses.

This RFP, along with the Attachments, and other information of interest can be found at the following website: http://rockfordil.gov/finance/central-services-division/purchasing/open-bidsrfps.aspx

The City reserves the right to reject any or all responses, to waive any informality on the specifications or RFP process, or to cancel in whole or in part this RFP if it is in the best interests on the City to do so.

ATTACHMENTS

Attachment A: **Building Exterior and Interior Existing Conditions Photos**

Attachment B: **Historical Documentation**

Attachment C: **Checklist for Submission**

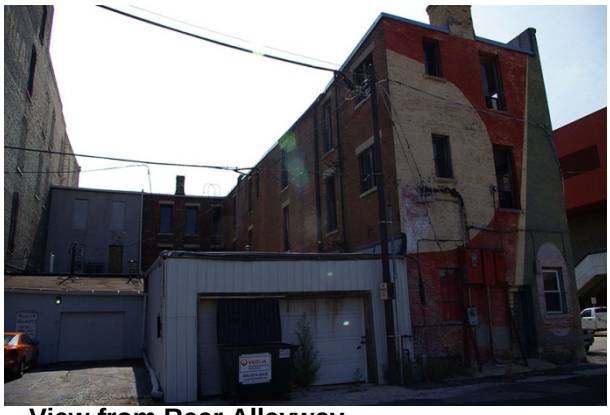
ATTACHMENT A: Building Exterior and Interior Existing Conditions Photos

Elm & Main Street Intersection

South Main Street Storefront

South Main Street Storefront

Elm Street Frontage (former Hotel entrance)



View from Rear Alleyway

Former Soda Bar Restaurant

Entrance to Former Soda Bar

Floor 1 Ceiling in Former Soda Bar Restaurant

Hotel Lobby & Stairway

Hotel Lobby

Floor 2 Medium Size Hotel Room

Floor 2 Small Hotel Room

Floor 2 Medium Size Hotel Room

Floor 2 Shared Restroom

Stairway to Floor 3

Floor 3 Hallway Looking West

Floor 3 Small Hotel Room

ATTACHMENT B: Historical Documentation

Copies of additional Historical Documents can be made available to respondents upon request. All inquiries should be made to:

Central Services Manager
Rockford City Hall, 4th Floor
425 East State Street
Rockford, IL 61104

ATTACHMENT C: Checklist for Submission

Submission Note 1: Include Ten (10) sets and one (1) CD of the proposal; 30 pages max, exclusive of drawings or site plans

Submission Note 2: Include the Completed Checklist with your Proposal

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- ☐ **All images, site plans, elevations in scalable format, sheets no larger than 11x17**
- ☐ **Transmittal/ Acknowledgement Letter**
- ☐ **Understanding of the Request (4 page maximum)**
- ☐ **Development Approach**
  - Project Concept Description
  - Schematic Design
- ☐ **Development Team Qualifications**
  - Organization Form, Team Members, and Personnel
  - Relevant Experience
  - Management Team
  - Project Management Plan
- ☐ **Development Costs, Revenues and Financing Proposal**
- ☐ **Financial Strength of Development Team**
- ☐ **Project Development Schedule**
- ☐ **Special Conditions**
- ☐ **Contact Information**