

REQUEST FOR PROPOSALS
TO PURCHASE REAL PROPERTY

South Third Street Redevelopment Properties

The City of Goshen by and through its Redevelopment Commission (hereinafter referred to as "Redevelopment") is requesting proposals for the purchase of certain real property located in the City of Goshen, Indiana.

1. Real Property to be Purchased

The real property to be purchased consists of the undeveloped residential lots within the 400 block of South Third Street. The specific lots for sale are shown as Parcel 1, 2, and 3 on the map attached as Exhibit A. They are shown with 405 S. Third Street being labeled as Parcel 1, 409 S. Third Street as Parcel 2 and 411 S. Third Street as Parcel 3 and more particularly described as follows:

405 SOUTH THIRD STREET (Parcel No. 20-11-09-456-006.000-015)

Lot Number Ninety-Six (96), excepting the South Six (6) feet thereof, as the said Lot is known and designated on the recorded plat of SECOND SOUTH ADDITION to the Town (now City) of Goshen; said Plat being recorded in Deed Record 5, page 489, in the Office of the Recorder of Elkhart County, Indiana.

409 SOUTH THIRD STREET (Parcel No. 20-11-09-456-020.000-015)

The South 6 feet of Lot Number 96 as the said Lot is known and designated on the recorded Plat of J.H. Barnes Second South Addition to the Town, now City of Goshen, Indiana; said Plat being recorded in Deed Record 15, page 489 in the Office of the Recorder of Elkhart County, Indiana.

ALSO:

A part of Lot number 95 as the said Lot is known and designated on the recorded Plat of J.H. Barnes Second South Addition to the Town, now City of Goshen, Indiana; said Plat being recorded in Deed Record 15, page 489 in the Office of the Recorder of Elkhart County, Indiana and more particularly described as follows:

Commencing at the Southeast corner of said Lot Number 95; thence North along the East line of said Lot Number 95, a distance of 36.22 feet to an iron rebar with cap (Doriot #890028) being the Point of Beginning of this description; thence North along said East line of Lot Number 95, a distance of 29.77 feet to the Northeast Corner of said Lot Number 95; thence west a distance of 164.97 feet to the Northwest Corner of said Lot Number 95; thence South along the West line, of said Lot Number 95 a distance of 29.50 feet to an iron rebar with cap (Doriot #890028); thence Easterly, a distance of 164.97 feet to the Point of Beginning.

411 SOUTH THIRD STREET (Parcel No. 20-11-09-456-021.000-015)

Part of Lot Number 95 as the said Lot is known and designated on the recorded plat of J.H. Barnes Second South Addition to the town, now City of Goshen, Indiana; said plat being recorded in Deed Record 15, page 489 in the Office of the Recorder of Elkhart County, Indiana and more particularly described as follows:

Commencing at the Southeast corner of said Lot Number 95, being the point of beginning of this description; thence North along the East line of said Lot Number 95, a distance of 36.22 feet to an iron rebar with cap (DORIOT #890028); thence Westerly, a distance of 164.97 feet to an iron rebar with cap (DORIOT #890028) on the West line of said Lot Number 95; thence South along said West line, a distance of 36.50 feet to an iron rebar with cap (DORIOT #890028), being the Southwest corner of said Lot Number 95; thence East along the South line of said Lot Number 95, a distance of 164.97 feet to the point of beginning.

The real property so described shall hereinafter be referred to as "Subject Real Property."

2. Project Specifications

A. Redevelopment Commission's Goals:

The Redevelopment Commission's goal for the properties is to provide land for residential development compatible with the adjacent neighborhoods.

Redevelopment will consider proposals to purchase all three (3) parcels, any one (1) of the parcels, or any combination of parcels.

B. Redevelopment Details

1) Area Description - The vacant lots are all adjacent to one another on the west side of South Third Street between Madison Street and Monroe Street. There is an existing structure at 401 South Third Street that is currently being utilized as a commercial office while the remainder of the block south of the vacant lots is residential.

2) Access – South Third Street permits on-street parking on both the east and west side of the street. A majority of the properties within the neighborhood include garage and driveway access from the rear. For the subject properties, rear access would be permitted from River Race Drive and off-street parking should be factored into the redevelopment proposal.

3) Utilities – Both public water and sewer are available to serve the subject property. Details regarding location of existing water and sewer mains is available upon request.

4) Zoning – The subject properties are zoned Residential R-3. The pertinent section of Zoning Ordinance detailing the regulations for the R-3 district can be found [here](#).

5) Environmental Conditions – There are no known environmental concerns for the subject property. The houses that previously existed on these lots have been demolished.

3. Submission of Proposals

A. Any proposal for the purchase of the Subject Real Property shall be submitted to Becky Hutsell, Redevelopment Director at 204 East Jefferson Street, Goshen, Indiana 46528-3405, no later than 12:00 p.m. (noon) on April 11, 2023. The proposal shall be submitted in a sealed envelope clearly marked as "Proposal to Purchase South Third Street Redevelopment Properties."

B. Each proposal must include the following:

- 1) A signed cover letter that includes the following:
 - a. The entity's name, address, and telephone number;
 - b. The name of the person authorized to submit/sign the proposal, along with this person's title, telephone number, and e-mail address;
- 2) A detailed description of the intended use and development of the Subject Real Property, including the following:
 - a. A conceptual plan with as much detail as possible, including land uses, building designs, building elevations and a description of how the development complements and interacts with the surrounding area.
 - b. All improvements to be made to the Subject Real Property including new structures to be constructed.
 - c. A description of the components of the development plan that includes information about the building design, size, density and amenities.
 - d. A project budget, including estimated soft costs and construction expenses.
- 3) A proposed timeline for the development of the Subject Real Property, including any conditions that must be met before the proposal can be commenced. The schedule should include:
 - a. Time needed to obtain financing.
 - b. Land use approvals.
 - c. Design completion.
 - d. Site preparation.
 - e. Start and completion of construction.
- 4) The price to be paid for the purchase of the Subject Real Property.
- 5) A financial statement that is specific enough so that a proper determination of the entity's financial capability to fulfill the obligation of the proposal.

C. The proposal shall address all issues contained in the Request for Proposals. Any exceptions to the terms of the Request for Proposals should be clearly noted.

D. Any modifications made to a proposal before submission must be initialed in ink by the submitting entity's authorized representative. A submitting entity may, upon written request, modify or withdraw their proposal at any time prior to the opening date and time. A request to modify or withdraw a proposal must be signed by the same person or persons who signed the original proposal submitted. No proposal may be modified or withdrawn after the opening of the proposals.

E. Redevelopment may require a person or entity submitting a proposal to revise one or more elements of its proposal in accordance with contract negotiations. Redevelopment reserves the right to evaluate proposals for a period of sixty (60) days before deciding which proposal, if any, to accept. Proposals shall be maintained through the evaluation period.

F. All proposals submitted become the property of the City and are a matter of public record.

G. The City of Goshen is not responsible for late or lost proposals due to mail service inadequacies, traffic or other similar reasons. Proposals received after the designated time will not be considered in the selection process.

4. **Terms and Conditions to be Addressed or Accepted by Proposal**

A. **Term of Purchase** – Redevelopment has conducted appraisals of the Subject Real Property and has determined that the fair value of the individual lots are as follows:

Parcel 1 – 405 S. Third Street - \$21,000.00

Parcel 2 – 409 S. Third Street - \$15,750.00

Parcel 3 – 411 S. Third Street - \$14,750.00

The price included in a proposal for the purchase of the Subject Real Property must be equal to or exceed this amount for whichever lots the proposal includes.

B. **Condition of Subject Real Property**

1) The proposal to purchase must be for the Subject Real Property in its present condition.

2) Any sale of the Subject Real Property will be conditioned on the development of the parcels in accordance with the development plan described in the proposal. A proposal may be conditional upon the City of Goshen granting of specific itemized zoning variances or rezoning.

C. **Use of Subject Real Property**

1) The proposed development must be constructed in compliance with all applicable laws and regulations of any government entity or public authority, including Indiana Building Codes, City of Goshen Ordinances, Policies, and Standards, including Zoning Ordinances, Subdivision Standards, Landscaping Ordinances, Construction Site Stormwater Runoff Control Ordinances, and Post Construction Stormwater Management Ordinances.

2) Purchaser must not use the Subject Real Property and any adjacent area in a manner that would be reasonably offensive to the owners or users of neighboring real estate or would tend to create a nuisance.

D. **Construction of Infrastructure** - The selected entity must construct any needed water building lines, sewer building lines, and storm water facilities for any structure constructed on the Subject Real Property. The selected entity must construct sidewalks to City specifications adjacent to the parcels, along all dedicated public streets.

E. **Indemnification** – The successful proposal must hold Redevelopment harmless from any loss, claim, damage or expense arising from the development and/or use of the Subject Real Property.

F. **Proposals Submitted by a Trust** - Any proposal submitted by a trust must identify each beneficiary of the trust and whether the settler is empowered to revoke or modify the trust

G. **Purchase Agreement** - The successful person or entity submitting a proposal will be required to enter into a purchase agreement incorporating the terms of the Request for Proposals, the terms included in the successful proposal, and other provisions deemed appropriate by Redevelopment.

5. **Requests for Clarifications and Addenda**

A. Entities intending to submit proposals who have questions or are interested in touring the site should contact Becky Hutsell, Redevelopment Director.

B. All requests for clarification to this solicitation must be received at least one (1) week before the opening date to allow for the issuance of any addendums determined by the City to be necessary. A Proposer shall rely only on written addenda issued by Becky Hutsell, Redevelopment Director. Requests shall be made in writing and may be directed to:

Becky Hutsell, Redevelopment Director
City of Goshen Redevelopment Commission
204 East Jefferson Street, Suite 6
Goshen, Indiana 46528
E-Mail: beckyhutsell@goshencity.com

C. Interpretations or clarifications determined necessary by the City will be issued by addenda mailed or otherwise delivered to all parties recorded by the City as having received the proposal documents. Only questions answered by formal written addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.

6. **Selection Process and Schedule**

A. The proposals received by Redevelopment will be opened by the Goshen Redevelopment Commission in public at the Commission's meeting on April 11, 2023 commencing at 3:00 p.m. in the Goshen City Court Room/Council Chambers at 111 East Jefferson Street, Goshen, Indiana. If no proposal meets the minimum offer price, additional proposals will be received until 1:30 p.m. on May 15, 2023 and will be opened by the Board of Public Works and Safety at their meeting on May 15, 2023 commencing at 2:00 p.m. in the Goshen City Court Room/Council Chambers at 111 East Jefferson Street, Goshen, Indiana. After accepting proposals for the additional period, the Redevelopment Commission may select the highest and best proposal using the criteria set forth in this section with no minimum price.

B. The proposals will be considered by the Goshen Redevelopment Commission. The Redevelopment Commission reserves the right to refer the proposals received to Becky Hutsell, Redevelopment Director, and such other staff as the Commission deems appropriate

to review the proposals and make a recommendation to the Redevelopment Commission. The Commission reserves the right to interview the parties submitting proposals or to request the parties submitting proposals to provide supplemental information.

C. This Request for Proposals does not commit Redevelopment to sell the Subject Real Property. Redevelopment reserves the right to accept or reject any or all proposals received, to negotiate with qualified persons or entities who submit a proposal, or to cancel the Request for Proposals. Redevelopment may require a person or entity submitting a proposal to submit any additional data or information Redevelopment deems necessary.

D. In determining which proposal is the highest and best proposal, Redevelopment will consider the following:

- 1) The experience, the financial capacity and the organizational capacity of the entity submitting the proposal to successfully plan, construct and complete the proposed development.
- 2) The overall quality of the submission and the extent to which the proposed development is compatible with the existing neighborhood.
- 3) The entity's plans and ability to improve the Subject Real Property with reasonable promptness.
- 4) The proposed completion date for the project.
- 5) The size and character of the improvements proposed to be made on the Subject Real Property and/or improvements.
- 6) Whether adequate parking for the development is included in the plan.
- 7) The proposed purchase price to be paid to Redevelopment.
- 8) Whether the entity submitting the proposal is a trust and whether the submission identifies the beneficiary of the trust and whether the settlor is empowered to revoke or modify the trust.
- 9) The nature of any variance or rezoning requested.
- 10) Whether the proposed purchase will serve the interest of the community.

7. **General**

A. **Conflict of Interest/Non-Collusion**

- 1) By submitting a proposal, an entity certifies that the entity has not entered into a combination or agreement relative to the price to be proposed nor taken any action to prevent a person from submitting a proposal; or to induce a person to refrain from submitting a proposal.
- 2) Each proposal must be made without reference to any other proposal, unless specifically so indicated.
- 3) By submitting a proposal, an entity certifies that they are not in a situation where the submitting entity's private interest would interfere with its loyalty or

responsibilities to the City of Goshen or raise questions about such interference. The submitting entity agrees not to accept work, enter into a contract, accept an obligation or engage in any activity, paid or unpaid, that is inconsistent or incompatible with the submitting entity's obligations, or the scope of services to be rendered to the Redevelopment Commission. The submitting entity shall warrant that, to the best of their knowledge, there is no other contract or duty on the submitting entity's part that conflicts with or is inconsistent with the services sought to be provided to the Redevelopment Commission.

4) The submitting entity, if selected, must sign and have notarized the Conflict of Interest / Non-Collusion Affidavit.

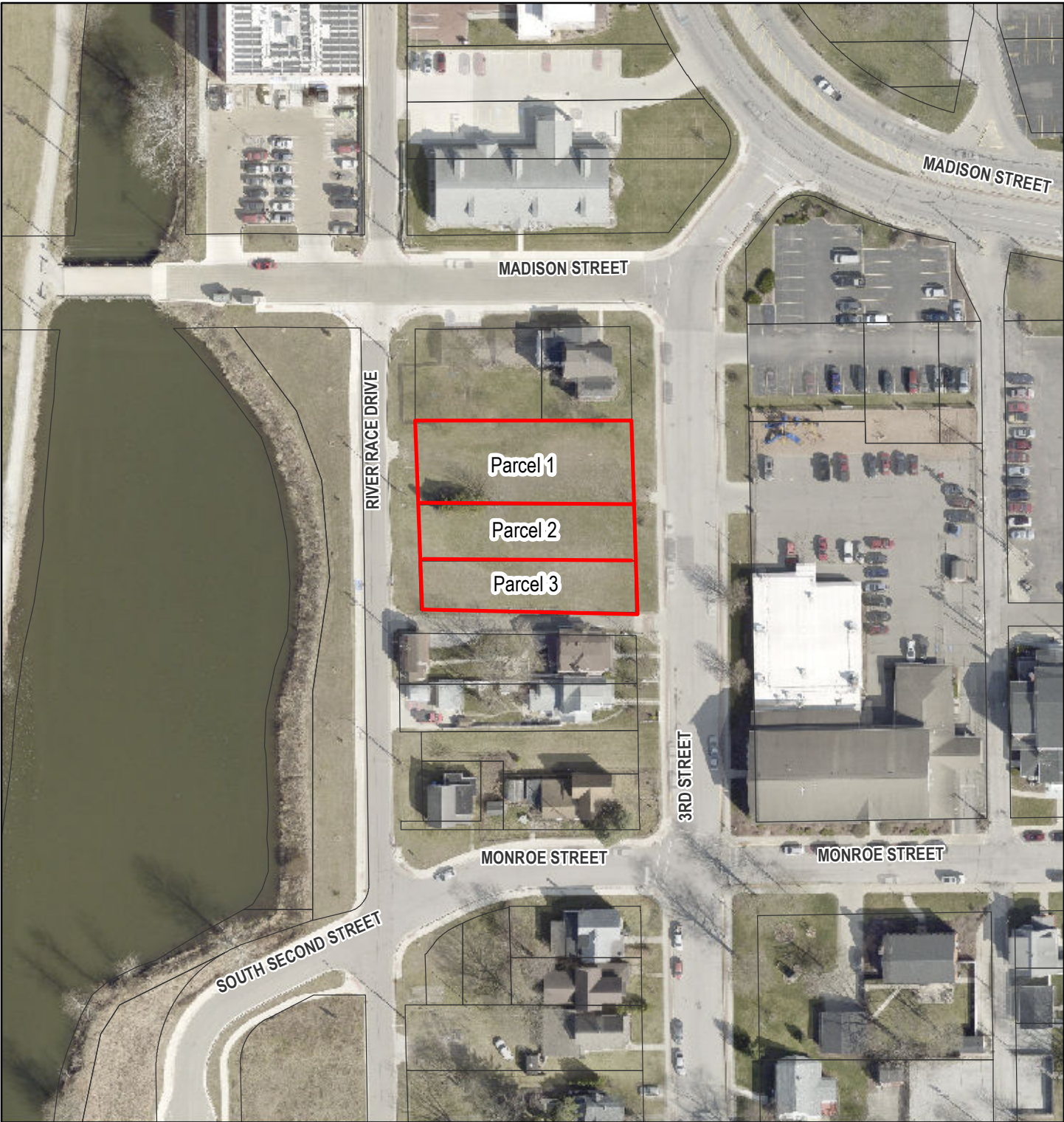
B. **Applicable Laws** - Any contract resulting from a proposal submitted will be construed in accordance with and governed by the laws of the State of Indiana.

C. **Trusts** - In accordance with Indiana Code 36-7-14-22, a proposal submitted by a trust (as defined by I.C. 30-4-1-1) must identify the beneficiary of the trust and indicate whether the settlor is empowered to revoke or modify the trust.

D. **Costs for Submitting Proposal** - The City of Goshen or its Redevelopment Commission will not be liable for any costs incurred by the respondents in replying to this Request for Proposals. The City of Goshen or its Redevelopment Commission are not liable for any costs for work or services performed by the selected Proposer prior to the award of a contract.

E. **Authority to Bind Submitting Entity** - The signatory for the entity submitting a proposal represents that he or she has been duly authorized to execute the proposal documents on behalf of the submitting entity and has obtained all necessary or applicable approvals to make this submission on behalf of entity when his or her signature is affixed to the proposal.

EXHIBIT A



The City of Goshen's Digital Data is the property of the City of Goshen and Elkhart County, Indiana. All graphic data supplied by the city and county has been derived from public records that are constantly undergoing change and is not warranted for content or accuracy. The city and county do not guarantee the positional or thematic accuracy of the data. The cartographic digital files are not a legal representation of any of the features depicted, and the city and county disclaim any assumption of the legal status they represent. Any implied warranties, including warranties of merchantability or fitness for a particular purpose, shall be expressly excluded. The data represents an actual reproduction of data contained in the city's or county's computer files. This data may be incomplete or inaccurate, and is subject to modifications and changes. City of Goshen and Elkhart County cannot be held liable for errors or omissions in the data. The recipient's use and reliance upon such data is at the recipient's risk. By using this data, the recipient agrees to protect, hold harmless and indemnify the City of Goshen and Elkhart County and its employees and officers. This indemnity covers reasonable attorney fees and all court costs associated with the defense of the city and county arising out of this disclaimer.



Feet

0 25 50 100



1 inch = 100 feet

South Third Street Redevelopment Properties

Information as of
March 2023

The City of Goshen
Department of Public Works & Safety
Office of Engineering
204 East Jefferson Street, Goshen, Indiana 46528
Phone: 574-534-2201 Fax: 574-533-8626