



South Bend

Redevelopment Commission

227 West Jefferson Boulevard, Room 1308, South Bend, Indiana

Agenda

Regular Meeting, January 26, 2022 – 9:30 a.m.

<http://tiny.cc/RDC> or BPW Conference Room 13th Floor

1. Roll Call

2. Approval of Minutes

- A. Minutes of the Regular Meeting of Thursday, January 12, 2022

3. Approval of Claims

- A. Claims Allowance Request 1.10.23.

4. Old Business

5. New Business

A. River West Development Area

1. Resolution No. 3568 (Disposition Offering Price LWW.Leland. Marion)
2. Approval of Bid Specifications (LWW.Leland. Marion)
3. Request to Advertise (LWW.Leland.Marion)
4. Resolution No. 3570 (Disposition Offering Price Salvation Army Building)
5. Approval of Bid Specifications (Salvation Army Building)
6. Request to Advertise (Salvation Army Building)

B. West Washington/Chapin Development Area

1. Resolution No. 3569 (Disposition Offering Price Masterbilt. 18 Chestnut)
2. Approval of Bid Specifications (Masterbilt.18 Chestnut)
3. Request to Advertise (Masterbilt.18 Chestnut)

6. Progress Reports

- A. Tax Abatement
- B. Common Council
- C. Other

7. Next Commission Meeting:

Thursday, February 9, 2023, at 9:30 am

Adjourn



South Bend
Redevelopment Commission
 227 West Jefferson Boulevard, Room 1308, South Bend, IN

**SOUTH BEND REDEVELOPMENT COMMISSION
 SCHEDULED REGULAR MEETING**

January 12, 2023 – 9:30 am
http://tiny.cc/RDC___ or 4th Floor Council

Presiding: Troy Warner, Vice-President

The meeting was called to order at 9:31 a.m.

1. ROLL CALL

Members Present:	Troy Warner, VP, IP Vivian Sallie, Sec., IP Eli Wax, Comm., IP Dave Relos, Comm., IP Leslie Wesley, Comm., IP	IP = In Person V = Virtual
Members Absent:	Marcia Jones, President	
Legal Counsel:	Sandra Kennedy, Esq. Danielle Campbell-Weiss, Esq.	
Redevelopment Staff:	Mary Brazinsky, Board Secretary Joseph Molnar, RDC Staff	
Others Present:	Caleb Bauer – DCI, IP Erik Glavich – DCI, IP Laura Althoff – DCI, V Angela Rose – DCI, V Rachel Boyles – DCI, IP Zach Hurst – Engineering, IP WSBT22 Alison Mynsberge – V Kaine Kanczuzewski – V Allison – V Jerry – V Richard Harte – V Kate Barrett – V Conrad Damian – V Elizabeth Harte – V Dylan Lambert – V Tom Hall – V Chris Lemert - V	Alyson Herzig – V Hillary Horvath – V Katrina Marquardt – V Mike – V Michael Miller – V Cara Grabowski, Engineering V Marilyn M – V Erica Futa – V Doug Hall – V Dan Buckenmeyer – V Chris Dressel, DCI – V Jordan Gathers, Mayor Office, V Frank Perri, V Anon12 – V MaryEllen O’Connell – V Jo Broden – V William Panzica – V Michael Szymanski - V

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Others Present:	Sharon McBride, Council – IP Kate Bolze, DCI – V Tim Corcoran, DCI – V ABC57 – V JP – V Robert Moss – V Marshall C. – V Jeff Young, DCI – V Kara Boyles, Engineering, V Kisha Hoover – V Robert Moss – V Bob Jones – V Leslie Biek – V Charlotte Brach – V Maura Johnson – V Scott Jessup – V David Francisco – V Cathy G. – V Coughlan78 – V Jim North – V Shawn O’Brien – V Tricia Miller – V Matt Barrett – IP Richard Nussbaum – V Marshall Clevenger – V Rachel Tomas Morgan – Council – V Maura Johnson – V Bob Jones – V Kathy Gauthier – IP Chris Lemert – V Tom Hall – V Shawn O’Brien – V Robert Moss - V	
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2. Election of Officers

- A. Troy Warner nominated Marcia Jones as President of the Redevelopment Commission for 2023. The nomination was seconded by Eli Wax. The Commission agreed unanimously, and Marcia Jones was elected President of the Redevelopment Commission for 2023.

- B. Troy Warner submitted his name as Vice-President of the Redevelopment Commission for 2023. The nomination was seconded by Dave Relos. The Commission agreed unanimously, and Troy Warner was elected Vice-President of the Redevelopment Commission for 2023.

- C. Troy Warner nominated Vivian Sallie as Secretary of the Redevelopment Commission for 2023. The nomination was seconded by Eli Wax. The Commission agreed unanimously, and Vivian Sallie was elected Secretary of the Redevelopment Commission for 2023.

Vice-President Warner made a motion to move item 7C1 to the top of the agenda and suspend the rest until after this item. Commissioner Wax seconded the motion and the commission agreed unanimously to move onto item 7C1.

7. Progress Reports

C. Other

1. Resolution No. 3566 (Commending Donald E Inks)

Vice-President Warner Presented Resolution No. 3566 (Commending Donald E Inks). The Resolution was read to Donald E. Inks which commended his role as commissioner and employee with his many years of service.

Commissioner Relos appreciated all the work Don has performed when he was a staff member and before that as a co-worker for 10+years. Don is truly an asset for the city and everybody in South Bend.

Secretary Sallie adds her thanks to Don and notes they have worked together on many committees and commissions over the years. It has been a joy to work with Don. Don has always put the city's interest first whenever a decision has been made. She appreciates all that he has done.

Commissioner Wesley thanked Don for being a great servant of South Bend and being on the commission. Don's commitment to the city has been a great mentorship to her. Great blessing to you in the future.

Mr. Bauer noted that Don served with the city for over 41 years in different capacities as a member of city staff and commissioner; thank you Don for over 4 decades of service to the City of South Bend.

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Commissioner Wax notes that it has been a pleasure working with Don for the past couple of years on Commission; he appreciates Don's very thoughtful insight. If you had something to say, it was something worth listening to. Wishing you success in all your future endeavors.

Sharon McBride, President, South Bend City Council congratulated Don Inks and wishes continued success and thanked him for all of his years of service to the community and to the city.

Richard Nussbaum, practicing lawyer in South Bend at 210 S Michigan Street 46601. He notes he is coming up on an anniversary February 1, 1988 when he became an attorney in South Bend and frankly doesn't know a heck of a lot about municipal law. He will always be internally/eternally grateful to Don for his patience. There are a lot of people that do great things for the city quietly behind the scenes; if he were to write a book about those people, Don would certainly be in the book. Richard thanked Don personally and professionally for himself and what he had done for every citizen of the city.

Upon a unanimous motion by the Commission Resolution No. 3566 (Commending Donald E Inks) is approved and submitted on Thursday, January 12, 2023.

Donald E Inks stated that he has known some of the commissioners for a long period of time and some not so long, but he knows one thing about all of you is that you have the interest of the city at heart and spend your time and energy to see those interests fulfilled to make South Bend a better place for all of its citizens. It has been a privilege and an honor to serve with all of you.

3. Approval of Minutes

A. Approval of Minutes of the Regular Meeting of Monday, December 19, 2022

Upon a motion by Commissioner Wax, seconded by Secretary Sallie, the motion carried with Mr. Relos abstaining since he was not in attendance, the Commission approved the minutes of the regular meeting of Monday, December 19, 2022.

4. Approval of Claims

A. Claims Submitted for December 6 and December 13, 2022

Upon a motion by Commissioner Wax, seconded by Secretary Sallie, the motion carried unanimously, the Commission approved the claims for December 6, 2022.

Commissioner Wax asked about the last item on December 13, 2023, claim.

Laura Althoff replied the amount was for various projects being performed at Seitz Park including concrete and excavation work. There are payments for some lighting, extra retention for the sea wall and plumbing and electricity for the restrooms.

Upon a motion by Secretary Sallie, seconded by Secretary Vice-President Sallie, the motion carried unanimously, the Commission approved the claims for December 13, 2022.

5. Old Business

A. Update 300 E LaSalle (Developer)

Caleb Bauer, Executive Director, Community Investment. Mr. Bauer stated that at the request of the Commission, a letter was sent certified mail to David Matthews, developer of the 300 E LaSalle Building, a little over two weeks ago. A letter was received in return that was shared with the Commission as to why the developer would not be attending today's meeting, but he did extend an invitation for a tour. A number of Commissioner's and Mr. Bauer offered to tour the facility on Wednesday, January 11, 2023 but the developer said they were too busy and would be unable to make time. Unfortunately, we won't be hearing from the developer today.

There have been some developments since the commission last met. A so-called grocery store was opened by the developer without a certificate of occupancy and without the appropriate retail food licenses. My understanding is that it was open for less than one day before receiving a violation from the building department for occupying a space without a certificate of occupancy. Since that time, it has been closed. Referring to the addendum of the development agreement with the developer it does not meet a number of the requirements including the types of food purchased based on our limited understanding as Mr. Bauer has not been able to access the space, but as well as it did not have the necessary licenses to operate which was stipulated in the addendum to the development agreement.

This item was opened by Vice-President Warner for questions by commissioners to Mr. Bauer or to our city legal team. A few members of the public have also asked to speak, so we will then open it up for public comment and then bring it back to the Commission.

Commissioner Relos asked if any of the commissioner's have been into see the space.

Mr. Bauer answered that Building Department Inspectors have been inside the space as the developer requested a final inspection on either December 27th/28th. They did enter the space and conduct some inspections but were not able to issue a certificate of occupancy because the space was incomplete.

Commissioner Relos asked what the square footage of the grocery store was supposed to be.

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Mr. Bauer noted the space, as it was contemplated in the plan submitted, would have been 6,000 square feet. Mr. Bauer did not measure the existing space but believes that it does not meet the 6,000 square foot requirement.

Mr. Relos asked if it just contained dead walls.

Mr. Bauer stated that was correct, unfinished.

Commissioner Wax asked if the position of the city was default or breach of contract.

Ms. Kennedy stated yes, breach of contract.

Commissioner Wax asked if there is a notice requirement under the agreement.

Ms. Kennedy stated there is. Some requirements of the agreement do not require notice and others do require notice. What would require a notice is if the commission is asking for the return of the \$5M investment plus the additional \$2.5M claw back. That would require notice. There's no notice required if he did not substantially complete the project by the deadline date, which was December 31, 2022.

Vice-President Warner upon hearing no more questions from the commission, explained that he would open this item up to the public. Public comment is limited to three minutes with residents stating their name and address. The process started with individuals in-person then moved online.

Scott Jessup, 327 S Francis Street #8 in the River Walk neighborhood by Howard Park. Mr. Jessup noted he is 68 years old and retired from the University of Notre Dame. He is a lifelong resident of South Bend. Never in his life has he spoken to a government official at city, state or federal level. Maybe the occasional police officer, but other than that he has never been motivated to come in and address anybody but he is motivated today. Mr. Jessup states that he sent each of the commissioners an email last night. In case it was one of those too long emails that did not get read he will paraphrase the important parts. He has experience with David Matthews as he purchased a townhome from David built at Ivy Quad in 2016. It was delivered six months late and unfinished. It was a very unenjoyable, unimpressive experience. Mr. Jessup was on the board of Ivy Quad when they had to pursue legal action against David for failure of materials and workmanship. After many, many efforts to resolve the issue, they had no other choice. Mr. Jessup's understanding is that it is still unresolved (he has moved since). Mr. Jessup's understanding is that David applied for and received \$5M from the city in support of his project. That is about \$50 per resident in South Bend. He also received a \$4.9M from the state so in total David received \$10M under the understanding that he would develop a project that included a fully functioning grocery store and pharmacy in a neighborhood that needs it. It is a food desert and David understood the importance of this and this was where the public and private come together to serve the public. David's cynical display on the 31st of the soft opening

of an incomplete grocery store that featured Pringles and Ritz crackers is simply a challenge to everybody's intelligence and integrity. We know where we stand. We know what we are dealing with. I think it's incumbent upon the city to take every remedy possible to hold him accountable, responsible and get the city and state's money back plus appropriate penalties. Thank you for your time.

Matt Barrett, 110 S Niles, I've stood before this board since last June, asking for accountability. I have sent you a lengthy e-mail. I again want to highlight that the city's core values are excellence, accountability, innovation, inclusion, and empowerment. The "grocery store" is not excellent and this is about accountability, accountability, and accountability, and I hope that today is a good day for accountability in South Bend. Thank you.

Kathy Gauthier, 221 E Colfax SB at the East Bank Townhomes. She understands that the conversation today is directly focused on the grocery store and pharmacy. She respectfully suggest that the commission take a step back and look at the context. David has done the multi-use building at that place without partnering with a team. There was to be River Race Flats plus a multi-use building and what you have there now is a disaster parking lot that is unpaved (it was once paved). And then we have the disparagingly called Stonehenge that stopped construction in 2017 which was also to be a multi-use building which we taxpayers can take back \$5M I understand. So you have three multi-use buildings in the East Bank area within South Bend so there has not been a good partnering with the city, or with the neighbors. I'd like to point out Warsaw also had a multi-use building effort with him on their river. He was to start demolition. It was only half completed when the city of Warsaw jumped in and said the delays had been enough and they completed the work themselves. They awarded the job to another developer. She kindly suggests that as a community and taxpayers that we consider the context of the multi-use buildings. He has not successfully partnered with the city, with the community. I don't think multi-use buildings are his forte. The Indiana Supreme Court said he and his wife are responsible for repairs. Thank you.

Sharon McBride, President South Bend City Council, as part of a press release that I sent out yesterday it states that over the last decade, Mr. Matthews has build a career on city financial assistance for multiple projects, including being handed numerous city lots for \$10 dollars, given tax abatements and then given tax dollars. The city has improved its efforts to provide those same assistance to women and minorities working towards equity and inclusion in its development incentives. This matter highlights the need to continue to grow those inclusion efforts. Matthews has in no small part created his successes and wealth due to the city's assistance and now the city needs to hold Mr. Matthews accountable for his broken promises and enforce the contract. And having \$10M and particularly \$5M of taxpayer dollars is a disgrace and I ask that the commission and the city hold him accountable. Thank you.

Richard Nussbaum, attorney in South Bend, 210 S Michigan Street. I don't want to beat a dead horse here but a couple of observations. I am really impressed by the fact of how many council members are here this morning. I think that reflects the seriousness with which the city is taking this. I do have every confidence in our city legal department. I know the commission has retained counsel and I have great confidence in that counsel. We have reached a point where we need to take action and I believe that this commission will do the right thing. Claw backs are never a preferred remedy, but they're a necessary remedy because there is a fiduciary duty of the city and a fiduciary duty on the part of the recipient of those funds to do what they're used for. Public dollars are very difficult to come by and this is a gregarious breach of a development agreement that I've ever seen, and I've been around a long time. Thank you for your time making this opportunity. I am not surprised that Mr. Matthews didn't show up. He hasn't showed up for anything that we have invited him to, and Mr. Warner, you are very aware of that because you've invited him a number of times for neighborhood meetings. He just doesn't show up. That's not a breach of his contract with the city but it is a breach of just good common sense and being a good citizen. Thank you.

The Commission moved to the online public comment portion.

Mary Ellen O'Connell, 129 W North Shore Drive so an easy walk to 300 LaSalle where apparently I will not be buying groceries or pharmacy items. I have three very brief points in everything that has been said so far. The uncertified, temporary tables and the few freezers being passed off as a grocery store, let alone a grocery and pharmacy, really showed contempt for this Commission and for the city and for its residents and all we've done to try to support Mr. Matthews's plans. It's consistent with his other failures. We've heard about several of those just now. I'll just briefly add a few more. His failure to keep the property around the Emporium building, including the boardwalk in safe and usable condition. His violations of building codes and city ordinances for the Madison Center passed off as housing for the un-housed. His Redevelopment Commission actions have been taken to him for the variety of unfinished projects that we've heard about, et cetera. If he is allowed once again to avoid the claw back provisions of this contract, this will be not only a failure with regard to accountability in his case, but it sends a message to other potential partners and development groups that the city wants to support in future for the really vital work that you're doing. We can see the future for South Bend and it is so bright because of everything that's Commission and other members of our city and County Council have done. It's not the time to allow this sort of ongoing problematic developer to walk away from his commitments. It sends the wrong message to others. We want to maintain a high level of commitment and accountability. Compliance with our contracts. Otherwise, how do we enforce and maintain those high standards in the future? That's the point I really want to emphasize why it's imperative at this meeting. The decision for the claw back action go forward. Thank you for your time and for your service.

Alyson Mynsberge, 2633 Arrowhead Drive on the far west, north west side and somewhat close to Meijer, Aldi's and Walmart which are all large super stores that are not really traditional grocery stores. When I moved back to South Bend before the pandemic in late 2018, I had grown up in South Bend then having come back to visit family and help my mom stack the grocery shelves with bread at the Portage meat market back when it had been Martins, but also when it was the Portage meat market. When I chose to move back to South Bend I returned to the west side where I had grown up and had been sold on the idea that this city had improved. I was excited to move back and to be able to bike in the city as I had in the other places, I lived in the past 20 years. Instead, the Portage meat market that I biked to was gone. I have been told repeatedly that there is no relationship between the loss of the grocery store at Elwood and Portage and this project. However, in January 2017 the South Bend Regional Chamber said it is tricky for grocery stores to figure out how to get downtown for a whole host of reasons. That was at the time that this deal was reached. It was in June 2017 that Martins on Portage announced it would close Martins at Elwood and Portage and replace it with Portage meat market. The Portage meat market closed shortly before the pandemic which sent pandemic EBT cards and snap food benefits into the hands of all of the residents in that area who send their kids to public schools. I think that an influx of funding would have helped sustain a proper Martins or even the Portage meat market. Instead, the Redevelopment Commission has spent \$5M supporting Dave Matthews to build a downtown grocery on the claim that that it was a food desert. Now we have another food desert in South Bend, because of the loss of the store at Portage and Elwood. Not only that, but we've decreased the livability of the neighborhoods that we already had that were already functioning. I believe it is imperative that this money be clawed back and that the City Redevelopment Commission pursue better plans in the future using that money to help encourage grocery stores in existing food deserts and in low-income areas. To build back, so instead of taking the idea of putting a new grocery store below luxury apartments, it would have instead helped provide the funds for an existing grocery store to stay in the neighborhood that so desperately needed its services. That is my concern and I hope that you guys will consider that and look at the past to see the mistakes and learn from them. It's not a blame game. It's about learning from past mistakes and doing better for the city in the future. Thank you.

Jo M. Broden, 201 W North Shore Drive in the 4th District. I have a history with this project as a formal councilmember representing the 4th district. I want to emphasize that every comment that has been made by every neighbor, whether in person or virtual, is accurate and on point. The driving factor in funding unprecedented level of funding and the tax abatements, whether it was from the city or regional cities or even private investors, was the full-service grocery store, the pharmacy space office and retail; that was proposed and promised, and commitments made in development agreements with this developer. You have held other developers to account and it is way past time to hold this developer to account. Regional cities should be at our table on this, and I do agree with others in this meeting that the city and the state investment plus penalties should be what we should seek as a remedy. It is an egregious breach of the contract. If the developer will not come before you and has refused to come before you and has not been

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present at meetings on site, at some point, it's time to just say enough. We've had enough as a community proceed to the legal process and advanced remedies in accordance with that, I concur with all those who have spoken about this being bigger than just this project. When we invest as a city, we make choices. Some of the choices were made just last night at a neighborhood meeting, that brought together all the neighborhood groups; We learned that 20% of traffic calming measures within the city of South Bend will be left unmet. We know that a functional full service public transportation system will be unmet. We need to invest in things that truly improve our community, advance our workforce and our ability for everyone's income to rise and the quality and the benefits of strong investments that are outlined in development agreements that you make need to be upheld and we need to set that as a high standard. And, if we don't chase this to its full conclusion in the form of very strong documents that that staff and the city has put together and again also the regional cities, then we do send a poor message to other developers who want to work with the City of South Bend.

David Francisco, attorney with office at 712 E Jefferson. This has been probably the 4th or 5th meeting that I've taken time out to express my displeasure for what Mr. Matthews has done. I don't have anything substantive to add. When I look at this and there are about 48 of us that are online that have taken time out of our day to voice our opposition to what Mr. Matthews is doing rather than what he has done. I think the only way you are going to stop this is by taking that money as a claw back. I don't know exactly how much is at stake but all of us bothered to show up and Mr. Matthews did not. I would respectfully request the commission take action and get that money back. Thank you.

Caleb Bauer, Executive Director, Community Investment, this isn't standard protocol for the Commission but if you would be willing, we could offer a recommendation to you.

Vice-President Warner asked if there was anyone that wished to speak to this item.

Marshall Clevenger, 300 E LaSalle Street, I live on the 9th floor. I am a little ignorant about the entire process. I moved to South Bend a year ago and I moved here based on, well my businesses are out-of-town and my buildings are out of town that I own; I moved here based on the marketing scheme that was put on and I thought I was moving into where there was a grocery store and a pharmacy and a rooftop pool. All of those things. After promises being made about those things coming and I understand materials, engineering and construction being slowed down through this economic period of time. I will say that it was a very appealing property for people to move to town. I wanted to make South Bend my home, just me and my 3-year old daughter that was a good space for us. The River Park area is very nice. The people are very nice. It is great to be around there. Whatever the legal ramifications are for this project not moving forward and not meeting its commitments, I do hope that these types of projects do continue for this town. They are very appealing from an outsider. I didn't know much about South Bend, I did a lot of internet research before I came here to look at properties. The potential of that building, the potential of that neighborhood is a beautiful thing for the city. Moving forward, whatever the steps are, whatever happens there, I understand. I would also just keep in mind that these are the things that are bringing people to

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town, myself included. I have several friends interested as well. On a positive note, moving forward is something that could be great but it is going to take everyone fulfilling their promises and commitments. I understand the legal action you have to do on the contractual side, I just hope that it works out for the benefit of the East Village. Thank you.

Caleb Bauer, Executive Director, Community Investment. From our perspective this is about commitments that the city made as a commitment as part of this original development agreement and the commission and the staff that supports the commission have upheld that commitment. That \$5M in tax increment funds went towards construction of portions of the building we see today. This is about upholding those commitments and the developer also made commitments in that original development agreement as we have all heard and seen today. A number of those commitments remain unmet so from the perspective of the Department of Community Investment and the administration as a whole, we would recommend that the commission make a motion to authorize the city legal department to engage with outside counsel and enforce the terms of the agreement and the claw back provision. Thank you.

Secretary Sallie states that she supports the suggestion from Mr. Bauer and would like to make a motion.

Vice-President Warner clarified the motion stating we have a motion to enforce the contract and authorize the city attorney to take the necessary legal action; including sending necessary notice, retaining outside counsel and filing litigation; and return of the funds and any penalty.

Commissioner Wax asked if there is an appropriation necessary of is it already part of the budget.

Mr. Bauer states that this will utilize city civil funds that we may return to you for an appropriation at a later date if you were to authorize the motion.

Vice-President Warner seconded the motion and clarified that we have a motion authorizing enforcement of the contract and authorizing our Corporation Counsel to act on behalf of the Redevelopment Commission to send necessary notice, retain outside legal counsel, file litigation action and dealing with claw back of the agreement.

Vice-President Warner stated that today is the sixth anniversary of when the agreement was signed and promises were made. Mr. Matthews has had three extra years in addition to the original time he has had to complete this. This body has put him on notice at various points of the year that we were watching and had expectations. I think when we see him put a cheap theatrical attempt of sawhorses and plywood together at the last minute when he has been on notice for at least six months when we were expecting something or at least trying to get him to come and talk to us shows no real attempt is going to be made. I think we also have a fiduciary duty. I have heard a lot of people say that the city should act. We or the body that has to act on behalf of the city have a duty to do so. I support taking this

action.

Commissioner Wesley states that, I am disheartened, and I cannot believe what I am hearing. I was not part of the Redevelopment Commission six years and I am going to leave this with everyone's equity. The minority businesses: the women in businesses have to be vetted through a process. What am I hearing? From everyone and I appreciate all the emails from the public and the phone calls because I had no idea that the tax money that this type of partnership, that the city engaged with a developer. When I am talking to other developers and also other minority businesses that can't get supported and how over the years you would allow for someone to be able to get \$10M, \$5M which are taxpayers dollars to develop a project where letters are constantly sent and he is refusing but yet we are not equitable in making sure that our start-up businesses have the opportunity and those who have born and raised in South Bend not be able to get any dollars. Allowing a developer to tell you when they're going to come to a meeting and when they are available. It's just unheard of. I hope this is a lesson that we start from today, whatever the commission decides to do at the vote that we put in place a system of accountability and make sure everyone gets a fair chance at using taxpayer dollars for developments. I am very upset as a taxpayer and my heart goes out of downtown. We do have a food desert. If that promise wasn't met then we have to take measures, legal measures to fulfill a promise. Let this be a lesson to those who gave him the money also and allowed him to receive over \$10M. Shame on you.

Commissioner Wax states that this isn't about the developer. Our job here as commissioners is to look out for the best interests of the city, as I think we heard before that we have a fiduciary responsibility to look out for the commission and the city's best interest. It's not about personalities. While other issues may color how we view things, it's not about all the other topics that we've discussed. It's with this specific agreement. How do we put the city's best interests forward? Today, from where we are I do believe that pursuing this path is how we put the city's best interest first.

Upon a motion by Secretary Sallie, seconded by Vice-President Warner, the motion carried unanimously, the Commission approved authorizing enforcement of the development agreement, authorizing Corporation Counsel to act on behalf of the Redevelopment Commission, sending necessary notice of the breach of contract, retaining outside legal counsel, file litigation action and dealing with claw back of the agreement on Thursday, January 12, 2023.

6. New Business

A. Redevelopment Fund (aka Pokagon Fund)

1. Budget Request (High Skill Immigration Fund)

Mr. Bauer Presented a Budget Request (High Skill Immigration Fund). Before you is a request for \$300k to come out of the Redevelopment General also known as the Pokagon Fund. What we're hoping to do with these funds is to pilot a new high skilled immigration fund that would be a partnership between the city and then focus to develop a matching grant program for employers who are interested

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in pursuing H1B visas. This is something we have heard from employers that is of interest to them in terms of filling high skill positions. H1B visas are available for positions with technical skills required. The visas are awarded in a lottery system so an employer could sponsor an individual for an H1B visa, and that individual might meet all of the qualifications. That individual might not be selected from the lottery and if that employer sponsored that individual they are out what could range at six to eight thousand dollars of that sponsorship. We are looking at what we can do to incentivize employers that have never tried. There are a lot of employers who have never tried due to the risk of not being chosen. We are looking at the number of employers who are interested and looking to reduce the risk to the employers. This funding would help to set up some educational opportunities for employers to learn about the process. We are excited about this and hope the legislature chooses to fund Ready 2.0; we would hope to apply for a larger grant amount in a round later this year or next year. This is our chance to pilot this proof of concept and really see what kind of interest we can get from employers on a matching grant program. Commission approval requested.

Commissioner Wax asked if Mr. Bauer had details of employers that were not able to fill high skilled positions either from local talent or national talent.

Mr. Bauer stated yes we have seen this in some manufacturers as well as the healthcare industry there are a number of staff shortages. Locally we know there's an interest in exploring the H1B process as a solution for some staffing challenges.

Commissioner Wax asked if all businesses are eligible for this or would it be focused on smaller businesses. I don't think we need to be off-setting business expenses.

Mr. Bauer states this is a piece the city is still working on. The employer would only qualify for a certain number of the matching grants. Depending on the business size, we would cap the number of matching grants received. We are really focusing on smaller employers that are willing to try three sponsorships.

Secretary Sallie asked what the length of the program would be.

Mr. Bauer stated that we are looking at a two year pilot program but we may extend the funds.

Secretary Sallie would like an update as time goes on and asked if any other cities are using this program.

Mr. Bauer states there are some other cities that have looked at the process and there are some similar grant programs. We hosted one earlier last year that had a great attendance.

Secretary Sallie asked what the rationale for using the Pokagon Fund would be.

Mr. Bauer stated that our rationale is the Pokagon funds focus on combating

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poverty and also on growing South Bend. We believe that by helping to solve issues for employers and also bringing new residents into South Bend, is really going to help the community as a whole as we grow. As we've discussed before, our community does face challenges based on our population on. Maintenance of our underlying infrastructure and so our overarching goal is to continue to grow the population of South Bend. We believe this is one way that we can do that.

Secretary Sallie noted that is why she asked about the Pokagon Fund since they are supposed to be used to offset poverty in our community. We are talking about bringing people from outside into the community to participate in the program. Working with people that are already here might be a benefit to this program.

Mr. Bauer stated that we have explored with some other partners other than EnFocus that are looking at helping people locally who are looking for certain certifications. We have been doing that through our upscale South Bend program which is able to cover a significant portion of the cost of a new certification for a number of different certifications. Our thought is growing South Bend's population and helping employers solve their staffing challenges.

Commissioner Wax asked if this is going to be done internally?

Mr. Bauer states that the program will be contracted to a third party with EnFocus to assist administering some of the funds and setting up the workshops, information sessions, etc.

Commissioner Wax asked out of the \$300k do we have a breakdown between the administration slash education portion versus the grant.

Mr. Bauer stated roughly \$50k would go towards the underlying support from EnFocus; we have earmarked around \$30k to \$40k for the cost of hosting the workshops although that could end up being lower.

Commissioner Wax states that at least 2/3 would be for the core program.

Mr. Bauer stated that is correct.

Rachel Tomas Morgan, Councilmember, 114 Chapin Street; I was expecting to speak on another issue today, but there is plenty here who are able to speak about that issue. I just want to share that this is an exciting pilot. I was involved in some previous conversations about such ideas a couple years ago. I want to share as a daughter of an immigrant who moved to this country from the Philippines, who came in on a visa and then as he raised his family and moved to another visa in order to stay in this country and to serve his community. My father was that immigrant. I have been here in this community, a part of support letters for such individuals on H1B visas and know that we have people in our community who have come to South Bend on a visa who are highly skilled from their countries. High levels of education and could serve and work in our community should they pursue H1B visas. I think this is a great example of how we could attract but also retain talent that is in South Bend and would support this initiative

and ask for your support. Thank you.

Upon a motion by Commissioner Wax, seconded by Vice-President Warner, the motion carried unanimously, the Commission approved Budget Request (High Skill Immigration Fund) submitted on Thursday, January 12, 2023.

B. South Side Development Area

1. Budget Request (Fire Station No. 8)

Mr. Hurst Presented Budget Request (Fire Station No. 8). This is a budget request for the remainder of an intended \$3.5M allotment to cover the demolition and replacement of Fire Station No. 8 on the south side of town. We have gone through a schematic design process previously funded through the Redevelopment Commission and have arrived at a proposed new two-story station that measures about 7,000 square feet. The demolition of the existing building is estimated at around \$50k. The largest chunk would be the construction of the new station. At \$3.8M. And that does leave us a little bit of construction contingency to work with. And then overall, this total request between the previous schematic design and this current request is \$3.5M. Commission approval is requested.

Commissioner Wax asked for more information on the expansion provided over what there is currently.

Mr. Hurst stated that it is a lot different than most fire stations. This one is located in the middle of a neighborhood and without signage you wouldn't know it is a fire station. It is roughly the size of a residential home. The existing facility does not have separate restrooms. We know now that this is part of their physical and mental well being and we want them to be at their best. The process was to come up with a floor plan that can comfortably house all the firefighters both male and female. Our base bid was for a one bay firetruck but an alternate two bay bid will be an expected \$200k to \$250k more that would house a medical vehicle. We want to ensure that the facility is not too large to overwhelm the residential neighborhood.

Commissioner Wax asked if the bid was hopefully to find a bid for the two bays?

Mr. Hurst stated that is the approach right now. We do have the one bay funded but that is where we are ultimately headed.

Commissioner Relos asked is this to be added onto the existing building?

Mr. Hurst stated no this will be a full demolition.

Vice-President Warner stated that we have updated several stations from the 50s/60s. How many are left?

Mr. Hurst stated it is his understanding Fire Station No. 7 will be next. After that he is not sure what will be next.

Commissioner Wax noted that he grew up on the same block as Fire Station No. 8. It is really well known by the community. The firefighters considered themselves part of the community. Being able to update this is important to the community. It provides a safe and comfortable environment. I do think that it is important as much as possible to do the expansion and provide for the better needs of the firefighters so they can take care of the community they serve. Having that second bay for the emergency vehicle would be really helpful. I encourage that we pursue that.

Upon a motion by Secretary Sallie, seconded by Vice-President Warner, the motion carried unanimously, the Commission approved Budget Request (Fire Station No. 8) submitted on Thursday, January 12, 2023.

2. First Amendment to Development Agreement (Miami Hills)

Mr. Hurst Presented First Amendment to Development Agreement (Miami Hills). The original Miami Hills agreement stated that the commission would contribute \$1M towards replacing windows and installing vinyl siding at the complex. BPW attempted to open bids in June of 2022; no bids were received. In accordance with BPW policy we started an open market solicitation to find a contractor. Time was spent meeting with MWBE and local contractors in the area, even down in Indianapolis. The most reasonable price was from a contractor in Atlanta that has an existing relationship with Miami Hills apartment ownership team. He has done work with them already. This amendment modifies the funding amount up to just under \$1.6M. The Miami Hills group would reimburse the city the difference in the original amount. They are ready to wire us the money upon receipt of approval that will allow us to route this back through BPW to finalize a contract with H&H renovations to do the window replacement and siding installation. Commission approval is requested.

Commissioner Wax asked for the timeline of completion.

Mr. Hurst stated it will hopefully be completed by the end of summer 2023. We are seeing minor delays in window delivery, but the intent is to finish in 2023.

Commissioner Wax asked about the developer's portion of spending \$2.6M on the buildings. Has that happened?

Mr. Hurst knows reports have been submitted but does not know the total spent to date. They are working to meet their obligations.

Matt Barrett, 110 S Niles asked has the developer complied with the obligations in Section 4.6 on periodic reports. One was due on December 31st. He asked if they have hired local contractors and asked about the progress construction status report including itemized accounting and identifying the private investment to date. Mr. Barrett asked if there is a net cost of \$1M why is there a need to come back before the Redevelopment Commission? Can contracts just be approved in the future if the developer is going to contribute the additional \$600k?

Mr. Hurst noted that for accounting and auditing reasons the city needs to provide a number trail when we enter into a \$1.6M contract where do the \$600k come from. That is why it needed to be amended to show that the bids came in higher than what was expected.

Vice-President Warner stated that commission would appreciate a report back on this and other projects.

Mr. Bauer states they are confident that work is being done as stated and apologized for not having a report available.

Vice-President Warner stated that a few years ago Miami Hills was at a critical deterioration level and we are excited about getting this new owner in to stabilize and improve the units and improve the security. There has been a lot less serious violent incidents over the last year.

Commissioner Wax states it is exciting to see the improvements at Miami Hills with the inhabitants of the residents and the security. There is still room to progress, but he looks forward to seeing for the first time in a long time that things are moving in the right direction and hopes things will continue on that path.

Upon a motion by Secretary Warner, seconded by Commissioner Sallie, the motion carried unanimously, the Commission approved First Amendment to Development Agreement (Miami Hills) submitted on Thursday, January 12, 2023.

C. South Side Development Area

1. Resolution No. 3567 (2023 Meeting Schedule RDC)

Vice-President Warner Presented Resolution No. 3567 (2023 Meeting Schedule RDC). Commission approval is requested.

Upon a motion by Secretary Sallie, seconded by Vice-President Warner, the motion carried unanimously, the Commission approved Resolution No. 3567 (2023 Meeting Schedule RDC) submitted on Thursday, January 12, 2023.

7. Progress Reports

- A. Tax Abatement
- B. Common Council
- C. Other

Commissioner Wax asked about the housing credits.

Mr. Bauer stated IHEDA normally awards these in November. Because of interest rate increases over the time of the application period and their processing period, they have requested that all applicants re-submit their financing packages and move the award date to January 26, 2023. We will let you know when we have a final decision from them.

Mr. Barrett thanked the commission for the vote to enforce the contract at 300 E LaSalle. He noted that there are two other contracts that are still issues. One at 228 Sycamore and the former Traeger site. Stonehenge remains a one-story shell. He hopes that the commission also enforces that contract. He respectfully requested an add to the motion to enforce the Trager site as the developer continues to hold the land for speculation. There was a notice of default in September 2021 with no action taken. There are more than \$100k in fines that have accrued for the vacant lots on that site. The fines were appealed with the Superior court dismissing the appeal without prejudice and the developer has not appealed within the time period. I believe it is time to move forward on those two contracts. The reality is great things are happening here, but these properties are an impediment to future development.

8. Next Commission Meeting:

Thursday, January 26, 2023

9. Adjournment

Thursday, January 12, 2023, 11:01 a.m.

Vivian Sallie, Secretary

Marcia Jones, President



**City of South Bend
Department of Administration & Finance
Claims Allowance Request**

To: South Bend Redevelopment Commission
From: Benjamin J. Dougherty, Deputy City Controller/Interim City Controller
Date: Tuesday, January 10, 2023

Pursuant to Indiana Code 36-4-8-7, I have audited and certified the attached claims and submit them for allowance in the following amounts:

GBLN-00050179	\$596,333.01
GBLN-0000000	\$0.00

Total:	<u>\$596,333.01</u>
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Benjamin J. Dougherty

Benjamin J. Dougherty, Deputy City Controller/Interim City Controller

The attached claims described above were allowed in the following total amount at a public meeting on the date stated below: \$ 596,333.01

South Bend Redevelopment Commission

By: _____
Name:

Date:

Attest: _____

Name:

Expenditure approval

RDC Payments-1/10/23 Pymt Run

GBLN-0050179

Payment method: CHK-Total
Voucher: RDCP-00013215
Payment date: 1/10/2023

Vendor #	Name	Invoice #	Line description	Due date	Invoice amount	Financial dimensions	Purchase order
V-00000191	BARNES & THORNBURG LLP	3042835	Legal Services Barnes & Thornburg - South Well Field	1/18/2023	\$9,477.70	430-10-102-121-431001-- PROJ00000082	PO-0015761

Payment method: CHK-Total
Voucher: RDCP-00013216
Payment date: 1/10/2023

Vendor #	Name	Invoice #	Line description	Due date	Invoice amount	Financial dimensions	Purchase order
V-00000222	BLACK & VEATCH CORPORATION	1387541	Amendment #2	1/19/2023	\$2,507.31	324-10-102-121-431002-- PROJ00000056	PO-0005261

Payment method: CHK-Total
Voucher: RDCP-00013217
Payment date: 1/10/2023

Vendor #	Name	Invoice #	Line description	Due date	Invoice amount	Financial dimensions	Purchase order
V-00000476	DONOHUE & ASSOCIATES	1398508	Water Booster Pump Station Design	1/14/2023	\$2,210.00	430-10-102-121-431002-- PROJ00000032	PO-0012147
V-00000476	DONOHUE & ASSOCIATES	1329824	Change Order #1	1/14/2023	\$4,287.50	430-10-102-121-431002-- PROJ00000082	PO-0000038

Payment method: CHK-Total
Voucher: RDCP-00013218
Payment date: 1/10/2023

Vendor #	Name	Invoice #	Line description	Due date	Invoice amount	Financial dimensions	Purchase order
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V-00000775	HRP CONSTRUCTIO N INC	APP #1	Construction Sanitary Sewer Pipe	1/12/2023	\$221,910.50	430-10-102-121-444000-- PROJ00000082	PO-0020938
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Payment method: CHK-Total
Voucher: RDCP-00013219
Payment date: 1/10/2023

Vendor #	Name	Invoice #	Line description	Due date	Invoice amount	Financial dimensions	Purchase order
V-00001531	SOUTH BEND CHOCOLATE CO	12162022	Caleb/Laura SBCC Grant Indiana Dinosaur Museum	1/15/2023	\$18,040.00	324-10-102-121-441000-- PROJ00000403	PO-0020952
V-00001531	SOUTH BEND CHOCOLATE CO	11222022	Caleb/Laura SBCC Grant Indiana Dinosaur Museum	12/22/2022	\$210,000.00	324-10-102-121-441000-- PROJ00000403	PO-0020952
V-00001531	SOUTH BEND CHOCOLATE CO	120922	Caleb/Laura SBCC Grant Indiana Dinosaur Museum	1/8/2023	\$30,000.00	324-10-102-121-441000-- PROJ00000403	PO-0020952
V-00001531	SOUTH BEND CHOCOLATE CO	12022022	Caleb/Laura SBCC Grant Indiana Dinosaur Museum	1/11/2023	\$97,900.00	324-10-102-121-441000-- PROJ00000403	PO-0020952



CITY OF SOUTH BEND

REDEVELOPMENT COMMISSION

Redevelopment Commission Agenda Item

DATE: 1/19/22
FROM: Joseph Molnar
SUBJECT: Establishing Offering Price

_____ Pres/V-Pres

ATTEST: _____ Secretary

Date: _____

APPROVED Not Approved

SOUTH BEND REDEVELOPMENT COMMISSION

Which TIF? (circle one) River West; River East; South Side; Douglas Road; West Washington

PURPOSE OF REQUEST: Establishing Offering Price
Lincoln Way West / Marion / Leland

Specifics: Attached is a resolution establishing the offering price of property in the River West Development Area for the disposition of multiple properties at Lincoln Way West / Marion / Leland.

The minimum offering price of \$72,952 is the average of two appraisals by qualified, independent, professional real estate appraisers.

Staff requests approval of the offering price for the eventual disposition of these properties.

INTERNAL USE ONLY: Project Code: _____;
Total Amount new/change (inc/dec) in budget: _____; Break down:
Costs: Engineering Amt: _____; Other Prof Serv Amt _____;
Acquisition of Land/Bldg (circle one) Amt: _____; Street Const Amt _____;
Building Imp Amt _____; Sewers Amt _____; Other (specify) Amt: _____
_____. Going to BPW for Contracting? Y/N
Is this item ready to encumber now? ____ Existing PO# _____ Inc/Dec \$ _____

EXCELLENCE | ACCOUNTABILITY | INNOVATION | INCLUSION | EMPOWERMENT

RESOLUTION NO. 3568**RESOLUTION OF THE SOUTH BEND REDEVELOPMENT
COMMISSION ESTABLISHING THE OFFERING PRICE OF
PROPERTY IN THE RIVER WEST DEVELOPMENT AREA**

WHEREAS, the South Bend Redevelopment Commission (the "Commission"), the governing body of the City of South Bend, Indiana, Department of Redevelopment, exists and operates pursuant to I.C. 36-7-14 (the "Act"); and

WHEREAS, the Commission may dispose of real property in accordance with Section 22 of the Act; and

WHEREAS, the real property identified at Exhibit A attached hereto and incorporated herein (the "Property") has been appraised by two qualified, independent, professional real estate appraisers and a written and signed copy of their appraisals is contained in the Commission's files; and

WHEREAS, each such appraisal has been reviewed by a qualified Redevelopment staff person, and no corrections, revisions, or additions were requested by such reviewer.

NOW, THEREFORE, BE IT RESOLVED by the Commission, pursuant to Section 22 of the Act, that based upon such appraisals, the offering price of the Property described at Exhibit A is hereby established as stated therein, which amount is not less than the average of the two appraisals, and all documentation related to such determination is contained in the Commission's files.

IT IS FURTHER RESOLVED that all notices and other actions required by Section 22 of the Act be performed in order to effectuate the disposal of the Property.

ADOPTED at a meeting of the South Bend Redevelopment Commission held on January 26 2023, at 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

SOUTH BEND REDEVELOPMENT
COMMISSION

Marcia I. Jones, President

ATTEST:

Vivian Sallie, Secretary

**EXHIBIT A
TO RESOLUTION NO. 356**

Property	Size	Minimum Offering Price	Proposed Re-Use
<p>Multiple Properties Lincoln Way West / Marion / Leland</p> <p>018-1021-0868 018-1021-0869 018-1055-2342 018-1055-2366 018-1055-2365 018-1055-2352 018-1055-2359 018-1055-2354 018-1055-2355 018-1055-2358 018-1055-2357 018-1055-235601 018-1055-2356</p>	<p>Site: 55,313 SF +/-</p>	<p align="center"><u>\$72,952</u></p>	<p>Projects that are permitted within the NC Neighborhood Center zoning designation.</p> <p>Strong emphasis will be placed during the review process on compatibility with and support of the goals and objectives of the River West Development Area and the surrounding businesses and neighborhood.</p>

Notice of Intended Disposition of Property

RIVER WEST DEVELOPMENT AREA
Multiple Properties Lincoln Way West / Marion / Leland
South Bend, Indiana

Notice is hereby given that the Redevelopment Commission of the City of South Bend, Indiana, will receive sealed offers for the purchase of certain property situated in the River West Development Area until 9:00 a.m. (local time) on the February 23, 2023 in the Office of the Department of Redevelopment, 1400 S. County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana, 46601. All offers will be publicly opened and read aloud at 9:30 a.m. (local time) on the February 23, 2023 at the Regular Meeting of the Redevelopment Commission to be held that date and time in Room 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, IN 46601, or in the event of cancellation or rescheduling, at the Redevelopment Commission's subsequent regular meeting or rescheduled regular meeting held at a time and place given by public notice. Bid proposals for the purchase of the property offered will be considered.

The property being offered is located at Multiple Properties Lincoln Way West / Marion / Leland., in the River West Development Area, South Bend, Indiana. Any proposal submitted must be for the site as noted on the Offering Sheet. The required re-use of the property is for projects that are permitted within the NC Neighborhood Center zoning designation. Strong emphasis will be placed during the review process on compatibility with and support of the River West Development Area and the surrounding businesses and neighborhood.

A packet containing bid forms, the Offering Sheet and other pertinent information may be picked up at the Department of Community Investment, 1400 S. County-City Building, 227 West Jefferson Boulevard, South Bend, IN 46601.

The Commission reserves the right to reject any and all bids, and to make the award to the highest and best bidder. In determining the best bid, the Commission will take into consideration the following:

1. The use of the improvements proposed to be made by each bidder on the property, and their compatibility with and support of the proposed re-use as described in the Offering Sheet
2. Each bidder's ability to improve the property with reasonable promptness
3. Each bidder's proposed purchase price
4. Any factors which will assure the Commission that the sale, if made, will further the carrying out of the Development Plan for the River West Development Area and will best serve the interest of the community from the standpoint of human and economic welfare
5. The ability of each bidder to finance the proposed improvements to the property with reasonable promptness

The Commission further reserves the right to waive any formalities in bidding which are not mandatory requirements.

A bid submitted by a trust (as defined in IC 30-4-1-1(a)) must identify each:

- (A) beneficiary of the trust; and
- (B) settlor empowered to revoke or modify the trust.

To secure the execution of the disposition agreement, the purchase of the property and the redevelopment thereof in accordance with the agreement, the bidder must submit with the proposal a faithful performance guaranty, in the sum of ten percent (10%) of the amount offered for the purchase of the property. The guaranty sum may be in the form of a certified check, a cashier's check, surety bond, letter of credit from a bank or trust company as approved by the Redevelopment Commission, or by other sufficient security, but the form, substance and terms of the performance guaranty must be approved as satisfactory by the Redevelopment Commission. The performance guaranty, if by cashier's or certified check, shall be deposited in any account of the Department of Redevelopment, City of South Bend, in a bank or trust company selected by the Redevelopment Commission.

CITY OF SOUTH BEND, INDIANA
DEPARTMENT OF COMMUNITY INVESTMENT
Joseph Molnar, Property Development Manager
Publish Dates: February 3rd & February 10th 2022

Bid Specifications & Design Considerations

Sale of Redevelopment Owned Property Multiple Properties Lincoln Way West / Marion / Leland River West Development Area

1. All of the provisions of I.C. 36-7-14-22 will apply to the bidding process.
2. All offers must meet the minimum price listed on the Offering Sheet (page 7).
3. Proposals for redevelopment are required to be for projects that are permitted within the NC Neighborhood Center zoning designation. All proposals must conform to the existing zoning provisions as outlined in the South Bend Zoning Ordinance Title 21 of the City of South Bend Municipal Code.

Proposals for the reuse of the property must include a basic reuse plan for the site and a project timeline detailing aspects of the site redevelopment and site improvements. During the review process, emphasis will be placed on compatibility with and support of the goals and objectives of the surrounding businesses and neighborhood and the Development Plan for the River West Development Area.

4. Bidders are prohibited from the use of the property for speculation or land-holding purposes.
5. All other provisions of the River West Development Area Development Plan must be met.

Proposal Documents and Forms for Property Disposition

City of South Bend
Redevelopment Commission

Multiple Properties Lincoln Way West / Marion / Leland
River West Development Area

City of South Bend

James Mueller
Mayor

Caleb Bauer
Executive Director
Department of Community Investment

Sandra Kennedy
Corporation Counsel

Redevelopment Commission

Marcia Jones
President

Troy Warner
Vice-President

Vivian Sallie
Secretary

Eli Wax
Member

David Relos
Member

Bidding Expires at 9:00 a.m. (local time) on- February 23, 2023

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Instructions to Applicants

The South Bend Redevelopment Commission (“Commission”) invites proposals for the purchase and re-use of certain real property located at Multiple Properties Lincoln Way West / Marion / Leland, within the River West Development Area, South Bend, Indiana.

The Proposal Documents provide Applicants with essential information regarding the Disposition process and the Project Site. Each Applicant should read this information thoroughly before submitting a proposal to the Commission. The Proposal Forms are required as part of any proposal submitted for the purchase of Commission-owned land. All Forms must be complete. The Commission may reject any proposal submitted with incomplete or missing information.

Evaluation Criteria

The Commission may use the following criteria to guide its review and acceptance or denial of a proposal:

- The degree to which the Applicant’s proposal meets the objectives of the Development Plan for the River West Development Area prepared by the Department of Community Investment and approved by the Commission, the South Bend Plan Commission, and the Common Council; and the surrounding businesses and neighborhood.
- The use of the improvements proposed to be made by the Applicant on the real property; the Applicant's plans and ability to implement the re-use of the real estate with reasonable promptness; whether the real property will be sold or rented; the Applicant's proposed sale or rental prices; and any factors which will assure the Commission that the sale, if made, will further the execution of the River West Development Plan and will best serve the interest of the community, from the standpoint of both human and economic welfare.
- The financial responsibility, qualifications, experience and ability of the Applicant to finance and complete the development.
- The proposal which will provide the Commission with the best possible development, based upon the price offered for the property and consistent with the preceding objectives.
- Any conflict among these criteria will be reconciled to the best interest of the Development Area and the City of South Bend, as determined by the Commission.

Disposition Process

Bidding

All bids for the purchase and re-use of certain property in the River West Development Area must be delivered to the Department of Community Investment (“Department”), located at:

1400 S. County-City Building
227 West Jefferson Boulevard
South Bend, Indiana 46601

on or before 9:00 a.m. (local time) on the February 23, 2023. All proposals will be opened and made public at a public meeting of the South Bend Redevelopment Commission, held at 9:30 a.m. (local time) on the February 23, 2023 at 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601, or in the event of cancellation or rescheduling, at the Redevelopment Commission’s subsequent regular meeting or rescheduled regular meeting held at a time and place given by public notice.

Proposals with completed forms and without any missing information will be reviewed by the Commission according to the Evaluation Criteria as stated above. The Commission reserves the right to reject any bid and may make awards to the highest and best bidder. Notice of acceptance or rejection will be mailed to each of the bidders via US Mail to the address stated on the Proposal Forms.

All offers will be subject to the requirements of the *Contract for Sale of Land* as referenced on Page 6.

After the Bidding Period

Once the bidding period has expired, proposals may be made to the Commission for the remaining property available, if any.

All Applicants should familiarize themselves with the Proposal Forms and any proposal submitted after the bidding period has expired shall be completed utilizing the Proposal Forms. Proposals after the termination of the bidding period are to be submitted to the Department for review and consideration. The Commission will review proposals based upon the Evaluation Criteria as stated above. The Commission reserves the right to reject any proposal. Notice of acceptance or rejection will be mailed to each of the Applicants via US Mail to the address as stated on the Proposal Forms.

Proposals

All proposals must be complete and include the information and documentation requested in the Proposal Forms. Proposals that are submitted with incomplete or missing information will not be accepted. Applicant must use the Proposal Forms as provided by the Department.

Proposal Forms

The Proposal Forms must be complete before the Commission will review the proposal. The first and second pages of the Proposal Forms describe the Applicant's offer for the real property. Applicants shall fill in all applicable spaces and sign accordingly.

Each Applicant shall submit the following as part of the Applicant's proposed offer:

➤ ***Narrative Description***

(Proposal Forms, page 1)

A Narrative Description of the Applicant's proposed development project for the real property must be submitted as part of the proposal. The Narrative Description should note the exact nature, character, and use of the proposed improvements. Maps, plans, and drawings shall be included to clearly indicate the location, size, materials, style of structures, parking lots, and other improvements. All proposed improvements and uses must conform to the Bid Specifications and Design Considerations and the River West Development Area Development Plan. The maps, plans, and drawings as submitted will be examined by the Commission to determine whether, in the Commission's sole opinion, the Applicant's proposal conforms to the Bid Specifications and the River West Development Plan. The Commission may reject any offer which does not conform to said Specifications, Guidelines, and/or Plan.

➤ ***Proposed Site Plan***

(Proposal Forms, page 1)

All Applicants must submit a site plan for the real property on which the Applicant has made an offer. This site plan should be included as Exhibit "A" of the proposal. If the Applicant's proposal is accepted, the Applicant will be required to formalize the site plan with Commission Staff as part of the final documentation.

➤ ***Faithful Performance Guaranty***

(Proposal Forms, page 2)

All proposals must be submitted with a Faithful Performance Guaranty in an amount not less than 10% of the total purchase price offered for the property. The Faithful Performance Guaranty will secure the execution of the Contract and the development of the proposed improvements. The Faithful Performance Guaranty may be in the form of a certified or cashier's check or other security as approved by the Department. No offer will be considered unless it is accompanied by the required guaranty. All checks should be made payable to the *City of South Bend, Department of Community Investment*.

Except as otherwise herein noted, the Faithful Performance Guaranty of all unsuccessful Applicants will be returned as soon as practicable after notice of rejection.

The Faithful Performance Guaranty will be refunded to the successful Applicant at such time that the Commission deems that Applicant has completed all improvements to the real property, as proposed, and the Commission has issued a Certificate of Completion evidencing same.

➤ ***Statement of Qualifications and Financial Responsibility***

(Proposal Forms, pages 3-6)

The Commission shall have the right to make such investigations as it deems necessary to determine the ability of the Applicant to perform the obligations of the proposed offer. The Commission reserves the right to reject any proposed offer where the evidence or information does not satisfy the Commission that the Applicant is qualified to properly carry out the obligations of the proposed offer, or where the Applicant refuses to cooperate or assist the Commission in making such investigation.

➤ ***Statement for Public Disclosure***

(Proposal Forms, pages 7-8)

The Commission shall have the right to make such investigations as it deems necessary to determine the completeness of the Applicant's disclosure. The Commission reserves the right to reject any proposed offer where the available evidence or information does not satisfy the Commission that the Applicant has made a full disclosure, or where the Applicant refuses to cooperate and assist the Commission in making such investigation, or the Commission otherwise determines said Statement to be unsatisfactory.

➤ ***Affidavit of Non-Collusion***

(Proposal Forms, page 9)

The form of Affidavit of Non-Collusion is included in the Proposal Forms, and the Applicant must use the form provided. The Affidavit is to the effect that the Applicant has not colluded, conspired, connived, or agreed with any other Applicant or person, firm or corporation in regard to any offer submitted to the Commission. The failure of any Applicant to submit the Affidavit of Non-Collusion shall be cause for rejection of the offer.

➤ ***Corrections***

Erasures or other changes to the Proposal Forms must be explained or noted over the signature of the Applicant.

➤ ***Withdrawal of Proposals***

Proposals submitted prior to the scheduled public opening of the bids may be withdrawn upon written request of the Applicant if such request is received by the Department not less than twenty-four (24) hours prior to said public opening. Unopened bids will be returned promptly.

Commission's Rights

The Commission reserves the right to accept or reject any or all proposals and to waive any

formalities in bidding which are not mandatory requirements.

Execution of Contract

Upon award of the bid by the Commission, the successful Applicant shall enter into a Contract for Sale of Land with the Commission for the purchase and development of said property within 30 days of notice of acceptance. The Contract for Sale of Land will provide for the conveyance of the property therein purchased by quit-claim deed, together with title insurance policy showing good and merchantable title, upon payment of the full purchase price.

Additional Information

For further information as to the disposition program of the South Bend Redevelopment Commission, and to inquire about touring the property in advance of bidding, interested parties should contact the following staff member:

Joseph Molnar
Property Development Manager
1400 S. County-City Building
227 West Jefferson Boulevard
South Bend, Indiana 46601
(574) 245-6052 (Office Phone)
jrmolnar@southbend.in.gov

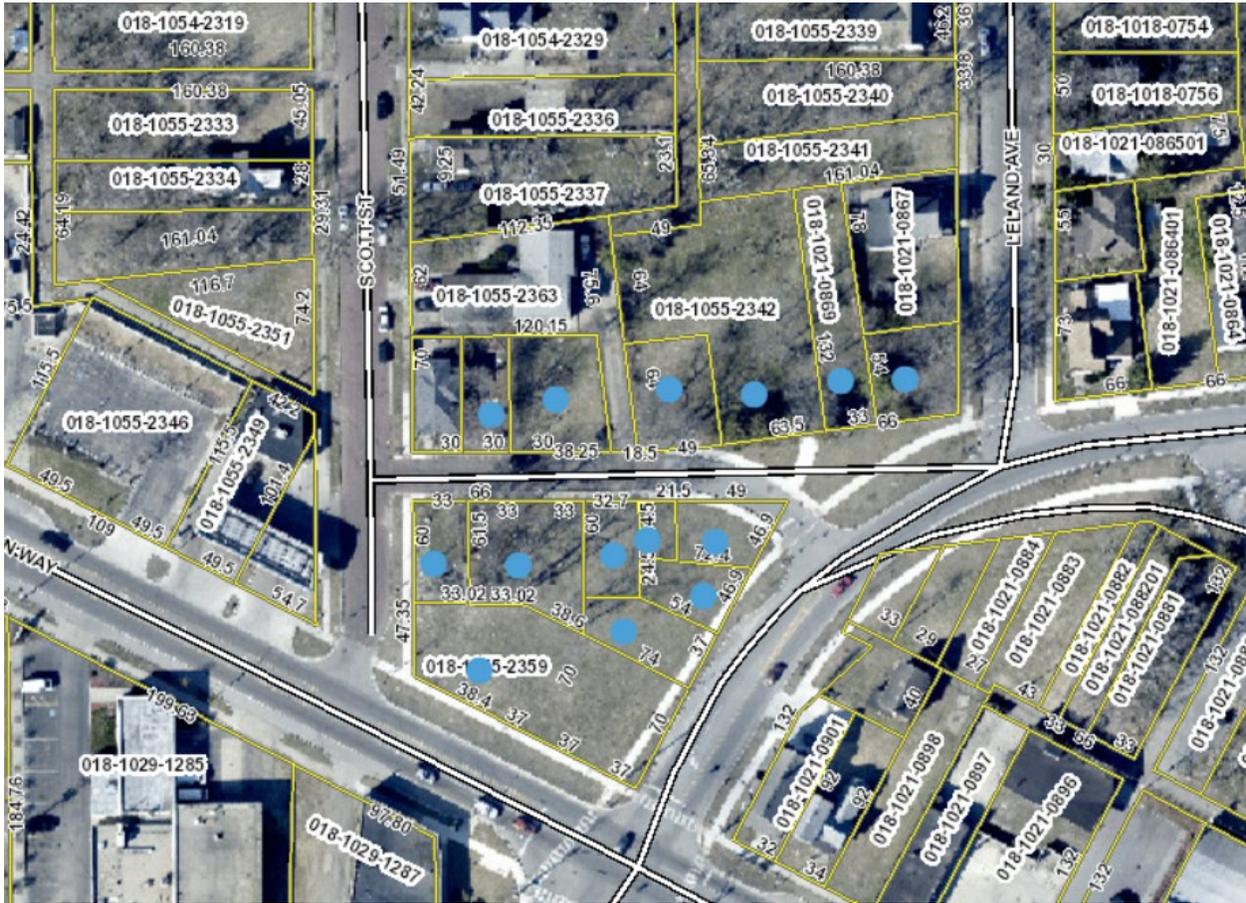
Offering Sheet

Property	Size	Minimum Offering Price	Proposed Re-Use
<p>Multiple Properties Lincoln Way West / Marion / Leland</p> <p>018-1021-0868 018-1021-0869 018-1055-2342 018-1055-2366 018-1055-2365 018-1055-2352 018-1055-2359 018-1055-2354 018-1055-2355 018-1055-2358 018-1055-2357 018-1055-235601 018-1055-2356</p> <p>(see map on page 9)</p>	<p>Site:</p> <p>55,313 SF +/-</p>	<p style="text-align: center;"><u>\$72,952</u></p>	<p>Projects that are permitted within the NC Neighborhood Center zoning designation.</p> <p>Strong emphasis will be placed during the review process on compatibility with and support of the goals and objectives of the River West Development Area and the surrounding businesses and neighborhood.</p>

Property Tax Identification Numbers

018-1021-0868
018-1021-0869
018-1055-2342
018-1055-2366
018-1055-2365
018-1055-2352
018-1055-2359
018-1055-2354
018-1055-2355
018-1055-2358
018-1055-2357
018-1055-235601
018-1055-2356

Disposition Property Map



Bid Specifications & Design Considerations

Sale of Redevelopment Owned Property Multiple Properties Lincoln Way West / Marion / Leland River West Development Area

1. All of the provisions of I.C. 36-7-14-22 will apply to the bidding process.
2. All offers must meet the minimum price listed on the Offering Sheet (page 7).
3. Proposals for redevelopment are required to be for projects that are permitted within the NC Neighborhood Center zoning designation. All proposals must conform to the existing zoning provisions as outlined in the South Bend Zoning Ordinance Title 21 of the City of South Bend Municipal Code.

Proposals for the reuse of the property must include a basic reuse plan for the site and a project timeline detailing aspects of the site redevelopment and site improvements. During the review process, emphasis will be placed on compatibility with and support of the goals and objectives of the surrounding businesses and neighborhood and the Development Plan for the River West Development Area.

4. Bidders are prohibited from the use of the property for speculation or land-holding purposes.
5. All other provisions of the River West Development Area Development Plan must be met.

Resolution Regarding Prevailing Wage Rates

RESOLUTION NO. 658

RESOLUTION REGARDING PREVAILING WAGE RATES

WHEREAS, the South Bend Redevelopment Commission ("Commission") has established redevelopment areas within the City of South Bend and has undertaken activities within those areas; and

WHEREAS, an integral part of that activity involves the sale of land for private development; and

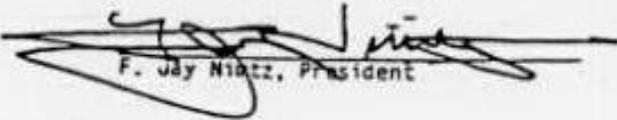
WHEREAS, the Commission desires that such sale of land and private development should have the maximum positive impact possible on the residents of the South Bend community; and

WHEREAS, the Commission has determined that the South Bend community will benefit from having local contractors constructing the private projects and being paid in accordance with the prevailing wage rates of St. Joseph County.

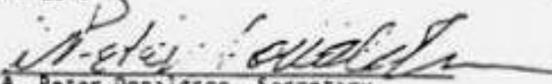
NOW, THEREFORE, BE IT RESOLVED, that the Commission encourages all purchasers of land acquired, cleared and sold by the Commission in redevelopment areas to use local contractors and local manpower and pay prevailing wage rates.

Adopted at the Regular Meeting of the South Bend Redevelopment Commission, held on the 23rd day of April, 1982, in the office of the Redevelopment Commission, Room 1200, County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

CITY OF SOUTH BEND, INDIANA
DEPARTMENT OF REDEVELOPMENT


F. Jay Niattz, President

ATTEST:


A. Peter Donaldson, Secretary



Proposal Forms

Proposal

To: *South Bend Redevelopment Commission
1400 S. County-City Building
227 West Jefferson Boulevard
South Bend, Indiana 46601*

Commissioners:

The Undersigned having familiarized itself with the present conditions of the Project Site as hereinafter designated and legally described and with the Proposal Documents and Forms; and certifying its desire to participate in the development of the said property pursuant to Federal, State and Local ordinances and regulations, and the Development Plan as approved by the Redevelopment Commission; hereby offers and proposes to purchase or lease all or part of the Disposition Parcel identified in Exhibit "A" made part of this proposal.

The Applicant's offer is described as follows:

Project Area

<i>Disposition Parcel Number</i>	<i>Total Acres</i>
Offer is for:	<input type="checkbox"/> Entire Parcel <input type="checkbox"/> Part of Parcel
Form of Contract:	<input type="checkbox"/> Purchase <input type="checkbox"/> Lease
_____ Dollars <i>Purchase Price</i>	_____ <i>Term</i> \$ _____
_____ Dollars <i>Annual Lease Payment</i>	\$ _____

A Narrative Description of the proposed development on the Disposition Parcel identified in Exhibit "A", describing the exact nature and character of the improvements proposed and their use; together with maps and plans sufficiently complete to indicate the general improvements to be made is attached and is to be considered a part of this proposal. (Maps and plans must be of sufficient scale to indicate clearly the location of the structures and other proposed improvements and should provide information on building elevations and materials.)

The Proposal Forms as provided by the Department of Community Investment (Department) have been completed and are considered a part of this proposal. The Proposal Forms include: (1) a Statement of the Qualifications and Financial Responsibility; (2) a Statement for Public Disclosure, and; (3) a sworn Affidavit of Non-Collusion. It is the understanding of the Applicant that the Statement of the Qualifications and Financial Responsibility is confidential and to be used solely by the South Bend Redevelopment Commission and the Department.

A Faithful Performance Guaranty in the sum of _____ Dollars (\$ _____), an amount equal to at least 10% of the total amount offered for the real property described in Exhibit "A", it being understood by the Applicant that the Faithful Performance Guaranty shall guarantee the Applicant's execution of and performance of the purchase or lease agreement. The Faithful Performance Guaranty will be refunded to the successful Applicant at such time the Commission deems that the improvements to the land, as proposed, have been completed and the Commission as evidenced by a Certificate of Completion issued by the Commission. The Faithful Performance Guaranty will be refunded in the event this offer is rejected.

Acceptance or rejection of Applicant's proposal shall be made by depositing such notification in the US Mail addressed to the undersigned (Applicant) at the address set forth below.

In submitting this offer to purchase or lease, it is understood that the right to reject such offer is reserved by the Commission. The undersigned further agrees to execute a contract for the purchase or lease of land for development in the form prepared by the Department within thirty (30) days after notification of acceptance of this offer and to develop and use the above identified parcel(s) of land in conformity with the Federal, State and Local ordinances and regulations; applicable Development Plan; the Bid Specifications & Design Considerations; and the Narrative Description and maps and plans as submitted herein, with amendments, if any, as approved by the Commission.

Dated _____

Respectfully submitted,

Name of Individual or Corporation

By: _____
Signature

Name (type)

Title

ATTEST: (BY SECRETARY OF A Corporation)

Address:

By: _____
Signature

Name (type)

Title

Address:

Statement of Qualifications and Financial Responsibility

Applicant: _____

Address: _____

1. Is the Applicant a subsidiary of or affiliated with any other corporation or corporations or any other firm or firms?
 Yes
 No

If yes, list each corporation or firm by name and address, specify its relationship to the Applicant, and identify the officers and directors or trustees common to the Applicant and such other corporation or firm:

2. The financial condition of the Applicant, as of _____, _____, is as reflected in the attached financial statement.

Name and address of auditor or public accountant who performed the audit on which said financial statement is based:

(NOTE: Attach to this statement a certified financial statement showing the assets and the liabilities, fully itemized in accordance with accepted accounting standards and based on a proper audit. If the date of the certified financial statement precedes the date of this submission by more than six months, also attach an interim balance sheet not more than 60 days old.)

3. If funds for development of the land are to be obtained from sources other than the Applicant's own funds, a statement of the Applicant's plan for financing the acquisition and development of the land:

4. Sources and amount of cash available to Applicant to meet equity requirements of the proposed undertaking:

- a. In banks:
Name and Address of Bank *Amount*
- b. By loans from affiliated or associated corporations or firms:
Name and Address of Bank *Amount*
- c. By sale of readily salable assets:
Description *Market Value* *Mortgages or Liens*

5. Names and addresses of bank references:

6. Has the Applicant or (if any) the parent corporation, or any subsidiary or affiliated corporation of the Applicant or said parent corporation, or any of the Applicant's officers or principal members, shareholders or investors, or other interested parties (as listed in items 5, 6, and 7 of the Statement for Public Disclosure and referred to herein as principals of the Applicant) been adjudged bankrupt, either voluntary or involuntary, within the past 10 years?

- Yes
 No

If yes, give date, place and under what name:

7. Has the Applicant or anyone referred to above as principals of the Applicant been indicted for or convicted of any felony within the past 10 years?

- Yes
 No

If yes, give for each case (1) date, (2) charge, (3) place, (4) Court, (5) action taken. Attach any explanation deemed necessary.

8. Undertakings, comparable to the proposed development, which have been completed by the Applicant or any of the principals of the Applicant, including a brief description of each project and date of completion:

9. If the Applicant, or any principals of the Applicant, has ever been an employee, in a

supervisory capacity, for a construction contractor or builder on undertakings comparable to the proposed development, the name of such employee, name and address of employer, title, and brief description of work:

10. If the Applicant or a parent corporation, a subsidiary, an affiliate, or a principal of the Applicant is to participate in the development of the land as a construction contractor or builder:

a. Name and address of such contractor or builder:

b. Has such contractor or builder within the last 10 years ever failed to qualify as a responsible bidder, refused to enter into a contract after an award has been made, or failed to complete a construction or development contract?

Yes

No

If yes, explain:

c. Total amount of construction or development work performed by such contractor or builder during the last three years: \$.

General description of such work:

d. Construction contracts or developments now being performed by such contractor or builder:

<i>Identification of Contract or Development</i>	<i>Location</i>	<i>Amount</i>	<i>Date to be Completed</i>
--	-----------------	---------------	---------------------------------

11. Brief statement regarding equipment, experience, financial capacity, and other resources available to such contractor or builder for the performance of the work involved in the development of the land, specifying particularly the qualifications of the personnel, the nature of the equipment and the general experience of the contractor:

12. Does any member of the South Bend Redevelopment Commission or any officer or employee of the City of South Bend Department of Redevelopment have any direct or

indirect personal interest in the Applicant or the development of the land as proposed?

Yes

No

If yes, explain:

13. Does any member of the governing body of the City of South Bend or any public official or employee of the City of South Bend have any direct or indirect personal interest in the applicant or the development of the land as proposed?

If yes, explain:

14. Statements and other evidence of the Applicant's qualifications and financial responsibilities (other than the financial statement referred to above) are attached hereto and hereby made a part hereof as follows:

Certification

I (We), _____ Certify that this Statement of Qualifications and Financial Responsibility and the attached evidence of the Applicant's qualifications and financial responsibility, including financial statements, are true and correct to the best of my (our) knowledge and belief.

_____	_____
<i>Name</i>	<i>Name</i>
_____	_____
<i>Signature</i>	<i>Signature</i>
_____	_____
<i>Title</i>	<i>Title</i>
_____	_____
<i>Date</i>	<i>Date</i>

(If the Applicant is an individual, this statement should be signed by such individual; if a partnership, by one of the partners; if a corporation or other entity, by one of its chief officers having knowledge of the facts required by this statement.)

Statement for Public Disclosure

Applicant: _____

Address: _____

Taxpayer ID#: _____

1. Applicant proposes to enter into contract for the purchase or lease of land from the South Bend Redevelopment Commission. Said land is more accurately described in Exhibit "A".

2. Organizational Status of Applicant:

- An individual
- A corporation
- A not-for-profit corporation or charitable institution
- A partnership known as: _____
- A business association or a joint venture known as: _____
- A Federal, State or Local government or instrument thereof
- Other (explain): _____

3. Organized and operating under the laws of _____

4. Date of Organization: _____

5. Names, addresses, and title of principal officers, investors, members or shareholders of Applicant, as follows: (attach additional sheets if necessary)

- a. CORPORATION: the officers, directors or trustees, and each stockholder owning more than 10% of any class stock
- b. NOT-FOR-PROFIT: the members who constitute the board of trustees or board of directors or similar governing body
- c. PARTNERSHIP: each partner, whether a general or limited partner, and the nature and percent of interest
- d. BUSINESS ASSOCIATION OR JOINT VENTURE: each participant and the nature and percent of interest

- e. OTHER ENTITY: the officers, the members of the governing body, and each person having an interest of more than 10%

Name & Address

Title and nature and percent of interest

6. Names, addresses, and the nature and percent of interest of each person or entity (not named in Item 5) who has a beneficial interest in any of the shareholders or investors named in Item 5 which gives such person or entity more than a computed 10% interest in the Applicant (for example, more than 20% of the stock in a corporation which holds 50% of the stock of the Applicant; or more than 50% of the stock in a corporation which holds 20% of the stock of the Applicant).

Name & Address

Title and nature and percent of interest

7. Names of officers and directors, or trustees of any corporation or firm listed under Item 5 or Item 6 above.

Name & Address

Title and nature and percent of interest

Certification

I (We), _____ Certify that this Statement for Public Disclosure is true and correct to the best of my (our) knowledge and belief.

Name

Name

Signature

Signature

Title

Title

Date

Date

(If the Applicant is an individual, this statement should be signed by such individual; if a partnership, it should be signed by one of the partners; if a corporation or other entity, it should be signed by one of its chief officers having knowledge of the facts required by this statement.)

Affidavit of Non-Collusion

State of Indiana)
)
County of St. Joseph) SS:

The undersigned, being first fully sworn, deposes and says that:

1. He/she is: owner, partner, officer, representative, agent, of _____ (applicant);
2. He/she is fully informed respecting the preparation and contents of the attached offer and of all pertinent circumstances respecting such offer;
3. Such offer is genuine and not a collusive or sham offer;
4. Neither said Applicant nor any of its officers, partners, owner’s agents, representatives, employees, or parties in interest, including this affiant, has in any way colluded, conspired, connived, or agreed directly or indirectly, with any other Applicant, firm or person to submit a collusive or sham offer in connection with the Contract for which the attached offer has been submitted or to refrain from making an offer in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Applicant, firm or person to fix the price or prices in the attached offer, or of any other Applicant, or to fix any overhead, profit, or cost element of the offering price of any other Applicant, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the City of South Bend and/or its Department of Community Investment and/or the South Bend Redevelopment Commission person interested in the proposed Contact; and
5. The price or prices quoted in the attached offer are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Applicant or any of its agents, representatives, owners, employees or parties in interest, including this affiant.

Affiant

Signature

Title

Before me, the undersigned, a Notary Public, _____ subscribed and swore to this Affidavit of Non-Collusion on this _____ day of _____, _____.

(Seal) _____
Notary Public

A resident of _____, County, _____.



CITY OF SOUTH BEND REDEVELOPMENT COMMISSION

Redevelopment Commission Agenda Item

DATE: 1/19/22
FROM: Joseph Molnar
SUBJECT: Request to Advertise

_____ Pres/V-Pres

ATTEST: _____ Secretary

Date: _____

APPROVED Not Approved

SOUTH BEND REDEVELOPMENT COMMISSION

Which TIF? (circle one) River West; River East; South Side; Douglas Road; West Washington

PURPOSE OF REQUEST: Request to Advertise
Lincoln Way West / Marion / Leland

Specifics: Attached is the Notice of Intended Disposition of Property (Notice) for multiple properties at Lincoln Way West / Marion / Leland.

This Notice is planned to be advertised in the South Bend Tribune on February 3rd and 10th 2023.

Staff requests approval of the offering price for the eventual disposition of these properties.

INTERNAL USE ONLY: Project Code: _____;
Total Amount new/change (inc/dec) in budget: _____; Break down:
Costs: Engineering Amt: _____; Other Prof Serv Amt _____;
Acquisition of Land/Bldg (circle one) Amt: _____; Street Const Amt _____;
Building Imp Amt _____; Sewers Amt _____; Other (specify) Amt: _____
_____. Going to BPW for Contracting? Y/N
Is this item ready to encumber now? ____ Existing PO# _____ Inc/Dec \$ _____



CITY OF SOUTH BEND

REDEVELOPMENT COMMISSION

Redevelopment Commission Agenda Item

DATE: 1/19/22
FROM: Joseph Molnar
SUBJECT: Establishing Offering Price

_____ Pres/V-Pres

ATTEST: _____ Secretary

Date: _____

APPROVED Not Approved

SOUTH BEND REDEVELOPMENT COMMISSION

Which TIF? (circle one) River West; River East; South Side; Douglas Road; West Washington

PURPOSE OF REQUEST: Establishing Offering Price
Salvation Army Building

Specifics: Attached is a resolution establishing the offering price of property in the River West Development Area for the disposition of the former Salvation Army Building

The minimum offering price of \$671,500.00 is the average of two appraisals by qualified, independent, professional real estate appraisers.

Staff requests approval of the offering price for the eventual disposition of this property.

INTERNAL USE ONLY: Project Code: _____;
Total Amount new/change (inc/dec) in budget: _____; Break down:
Costs: Engineering Amt: _____; Other Prof Serv Amt _____;
Acquisition of Land/Bldg (circle one) Amt: _____; Street Const Amt _____;
Building Imp Amt _____; Sewers Amt _____; Other (specify) Amt: _____
_____. Going to BPW for Contracting? Y/N
Is this item ready to encumber now? ____ Existing PO# _____ Inc/Dec \$ _____

EXCELLENCE | ACCOUNTABILITY | INNOVATION | INCLUSION | EMPOWERMENT

RESOLUTION NO. 3570

**RESOLUTION OF THE SOUTH BEND REDEVELOPMENT
COMMISSION ESTABLISHING THE OFFERING PRICE OF
PROPERTY IN THE RIVER WEST DEVELOPMENT AREA**

WHEREAS, the South Bend Redevelopment Commission (the "Commission"), the governing body of the City of South Bend, Indiana, Department of Redevelopment, exists and operates pursuant to I.C. 36-7-14 (the "Act"); and

WHEREAS, the Commission may dispose of real property in accordance with Section 22 of the Act; and

WHEREAS, the real property identified at Exhibit A attached hereto and incorporated herein (the "Property") has been appraised by two qualified, independent, professional real estate appraisers and a written and signed copy of their appraisals is contained in the Commission's files; and

WHEREAS, each such appraisal has been reviewed by a qualified Redevelopment staff person, and no corrections, revisions, or additions were requested by such reviewer.

NOW, THEREFORE, BE IT RESOLVED by the Commission, pursuant to Section 22 of the Act, that based upon such appraisals, the offering price of the Property described at Exhibit A is hereby established as stated therein, which amount is not less than the average of the two appraisals, and all documentation related to such determination is contained in the Commission's files.

IT IS FURTHER RESOLVED that all notices and other actions required by Section 22 of the Act be performed in order to effectuate the disposal of the Property.

ADOPTED at a meeting of the South Bend Redevelopment Commission held on January 26, 2023, at 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

SOUTH BEND REDEVELOPMENT
COMMISSION

Marcia I. Jones, President

ATTEST:

Vivian Sallie, Secretary

**EXHIBIT A
TO RESOLUTION NO. 3570**

Property	Size	Minimum Offering Price	Proposed Use
510 S. Main Street and 114 Monroe. 018-3017-0618 018-3017-0620 018-3017-0621 018-3017-0622 018-3017-0623 018-3017-0615	Site: 76,230 SF +-	<u>\$671,500.00</u>	Projects that are permitted within the DT Downtown zoning designation. Strong emphasis will be placed during the review process on compatibility with and support of the goals and objectives of the River West Development Area and the surrounding businesses and neighborhood.

Notice of Intended Disposition of Property

RIVER WEST DEVELOPMENT AREA
510 S. Main Street and 114 Monroe.
South Bend, Indiana

Notice is hereby given that the Redevelopment Commission of the City of South Bend, Indiana, will receive sealed offers for the purchase of certain property situated in the River West Development Area until 9:00 a.m. (local time) on the February 23, 2023 in the Office of the Department of Redevelopment, 1400 S. County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana, 46601. All offers will be publicly opened and read aloud at 9:30 a.m. (local time) on the February 23, 2023 at the Regular Meeting of the Redevelopment Commission to be held that date and time in Room 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, IN 46601, or in the event of cancellation or rescheduling, at the Redevelopment Commission's subsequent regular meeting or rescheduled regular meeting held at a time and place given by public notice. Bid proposals for the purchase of the property offered will be considered.

The property being offered is located at 510 S. Main Street and 114 Monroe., in the River West Development Area, South Bend, Indiana. Any proposal submitted must be for the site as noted on the Offering Sheet. The required re-use of the property is for projects that are permitted within the DT Downtown zoning designation. Strong emphasis will be placed during the review process on compatibility with and support of the River West Development Area and the surrounding businesses and neighborhood.

A packet containing bid forms, the Offering Sheet and other pertinent information may be picked up at the Department of Community Investment, 1400 S. County-City Building, 227 West Jefferson Boulevard, South Bend, IN 46601.

The Commission reserves the right to reject any and all bids, and to make the award to the highest and best bidder. In determining the best bid, the Commission will take into consideration the following:

1. The use of the improvements proposed to be made by each bidder on the property, and their compatibility with and support of the proposed re-use as described in the Offering Sheet
2. Each bidder's ability to improve the property with reasonable promptness
3. Each bidder's proposed purchase price
4. Any factors which will assure the Commission that the sale, if made, will further the carrying out of the Development Plan for the River West Development Area and will best serve the interest of the community from the standpoint of human and economic welfare
5. The ability of each bidder to finance the proposed improvements to the property with reasonable promptness

The Commission further reserves the right to waive any formalities in bidding which are not mandatory requirements.

A bid submitted by a trust (as defined in IC 30-4-1-1(a)) must identify each:

- (A) beneficiary of the trust; and
- (B) settlor empowered to revoke or modify the trust.

To secure the execution of the disposition agreement, the purchase of the property and the redevelopment thereof in accordance with the agreement, the bidder must submit with the proposal a faithful performance guaranty, in the sum of ten percent (10%) of the amount offered for the purchase of the property. The guaranty sum may be in the form of a certified check, a cashier's check, surety bond, letter of credit from a bank or trust company as approved by the Redevelopment Commission, or by other sufficient security, but the form, substance and terms of the performance guaranty must be approved as satisfactory by the Redevelopment Commission. The performance guaranty, if by cashier's or certified check, shall be deposited in any account of the Department of Redevelopment, City of South Bend, in a bank or trust company selected by the Redevelopment Commission.

CITY OF SOUTH BEND, INDIANA
DEPARTMENT OF COMMUNITY INVESTMENT
Joseph Molnar, Property Development Manager
Publish Dates: February 3rd & February 10th 2023

Bid Specifications & Design Considerations

**Sale of Redevelopment Owned Property
510 S. Main Street and 114 Monroe.
River West Development Area**

1. All of the provisions of I.C. 36-7-14-22 will apply to the bidding process.
2. All offers must meet the minimum price listed on the Offering Sheet (page 7).
3. Proposals for redevelopment are required to be for projects that are permitted within the DT Downtown zoning designation. All proposals must conform to the existing zoning provisions as outlined in the South Bend Zoning Ordinance Title 21 of the City of South Bend Municipal Code.

Proposals for the reuse of the property must include a basic reuse plan for the site and a project timeline detailing aspects of the site redevelopment and site improvements. During the review process, emphasis will be placed on compatibility with and support of the goals and objectives of the surrounding businesses and neighborhood and the Development Plan for the River West Development Area.

4. Bidders are prohibited from the use of the property for speculation or land-holding purposes.
5. All other provisions of the River West Development Area Development Plan must be met.

Proposal Documents and Forms for Property Disposition

City of South Bend
Redevelopment Commission

510 S. Main Street & 114 Monroe
River West Development Area

City of South Bend

James Mueller
Mayor

Caleb Bauer
Executive Director
Department of Community Investment

Sandra Kennedy
Corporation Counsel

Redevelopment Commission

Marcia Jones
President

Troy Warner
Vice-President

Vivian Sallie
Secretary

Eli Wax
Member

David Relos
Member

Bidding Expires at 9:00 a.m. (local time) on- February 23, 2023

Index of Documents

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Instructions to Applicants

The South Bend Redevelopment Commission (“Commission”) invites proposals for the purchase and re-use of certain real property located at 510 S. Main Street and 114 Monroe., within the River West Development Area, South Bend, Indiana.

The Proposal Documents provide Applicants with essential information regarding the Disposition process and the Project Site. Each Applicant should read this information thoroughly before submitting a proposal to the Commission. The Proposal Forms are required as part of any proposal submitted for the purchase of Commission-owned land. All Forms must be complete. The Commission may reject any proposal submitted with incomplete or missing information.

Evaluation Criteria

The Commission may use the following criteria to guide its review and acceptance or denial of a proposal:

- The degree to which the Applicant’s proposal meets the objectives of the Development Plan for the River West Development Area prepared by the Department of Community Investment and approved by the Commission, the South Bend Plan Commission, and the Common Council; and the surrounding businesses and neighborhood.
- The use of the improvements proposed to be made by the Applicant on the real property; the Applicant's plans and ability to implement the re-use of the real estate with reasonable promptness; whether the real property will be sold or rented; the Applicant's proposed sale or rental prices; and any factors which will assure the Commission that the sale, if made, will further the execution of the River West Development Plan and will best serve the interest of the community, from the standpoint of both human and economic welfare.
- The financial responsibility, qualifications, experience and ability of the Applicant to finance and complete the development.
- The proposal which will provide the Commission with the best possible development, based upon the price offered for the property and consistent with the preceding objectives.
- Any conflict among these criteria will be reconciled to the best interest of the Development Area and the City of South Bend, as determined by the Commission.

Disposition Process

Bidding

All bids for the purchase and re-use of certain property in the River West Development Area must be delivered to the Department of Community Investment (“Department”), located at:

1400 S. County-City Building
227 West Jefferson Boulevard
South Bend, Indiana 46601

on or before 9:00 a.m. (local time) on the February 23, 2023. All proposals will be opened and made public at a public meeting of the South Bend Redevelopment Commission, held at 9:30 a.m. (local time) on the February 23, 2023 at 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601, or in the event of cancellation or rescheduling, at the Redevelopment Commission’s subsequent regular meeting or rescheduled regular meeting held at a time and place given by public notice.

Proposals with completed forms and without any missing information will be reviewed by the Commission according to the Evaluation Criteria as stated above. The Commission reserves the right to reject any bid and may make awards to the highest and best bidder. Notice of acceptance or rejection will be mailed to each of the bidders via US Mail to the address stated on the Proposal Forms.

All offers will be subject to the requirements of the *Contract for Sale of Land* as referenced on Page 6.

After the Bidding Period

Once the bidding period has expired, proposals may be made to the Commission for the remaining property available, if any.

All Applicants should familiarize themselves with the Proposal Forms and any proposal submitted after the bidding period has expired shall be completed utilizing the Proposal Forms. Proposals after the termination of the bidding period are to be submitted to the Department for review and consideration. The Commission will review proposals based upon the Evaluation Criteria as stated above. The Commission reserves the right to reject any proposal. Notice of acceptance or rejection will be mailed to each of the Applicants via US Mail to the address as stated on the Proposal Forms.

Proposals

All proposals must be complete and include the information and documentation requested in the Proposal Forms. Proposals that are submitted with incomplete or missing information will not be accepted. Applicant must use the Proposal Forms as provided by the Department.

Proposal Forms

The Proposal Forms must be complete before the Commission will review the proposal. The first and second pages of the Proposal Forms describe the Applicant's offer for the real property. Applicants shall fill in all applicable spaces and sign accordingly.

Each Applicant shall submit the following as part of the Applicant's proposed offer:

➤ ***Narrative Description***

(Proposal Forms, page 1)

A Narrative Description of the Applicant's proposed development project for the real property must be submitted as part of the proposal. The Narrative Description should note the exact nature, character and use of the proposed improvements. Maps, plans and drawings shall be included to clearly indicate the location, size, materials, style of structures, parking lots, and other improvements. All proposed improvements and uses must conform to the Bid Specifications and Design Considerations and the River West Development Area Development Plan. The maps, plans and drawings as submitted will be examined by the Commission to determine whether, in the Commission's sole opinion, the Applicant's proposal conforms to the Bid Specifications and the River West Development Plan. The Commission may reject any offer which does not conform to said Specifications, Guidelines and/or Plan.

➤ ***Proposed Site Plan***

(Proposal Forms, page 1)

All Applicants must submit a site plan for the real property on which the Applicant has made an offer. This site plan should be included as Exhibit "A" of the proposal. If the Applicant's proposal is accepted, the Applicant will be required to formalize the site plan with Commission Staff as part of the final documentation.

➤ ***Faithful Performance Guaranty***

(Proposal Forms, page 2)

All proposals must be submitted with a Faithful Performance Guaranty in an amount not less than 10% of the total purchase price offered for the property. The Faithful Performance Guaranty will secure the execution of the Contract and the development of the proposed improvements. The Faithful Performance Guaranty may be in the form of a certified or cashier's check or other security as approved by the Department. No offer will be considered unless it is accompanied by the required guaranty. All checks should be made payable to the *City of South Bend, Department of Community Investment.*

Except as otherwise herein noted, the Faithful Performance Guaranty of all unsuccessful Applicants will be returned as soon as practicable after notice of rejection.

The Faithful Performance Guaranty will be refunded to the successful Applicant at such time that the Commission deems that Applicant has completed all improvements to the real property, as proposed, and the Commission has issued a Certificate of Completion evidencing same.

➤ ***Statement of Qualifications and Financial Responsibility***

(Proposal Forms, pages 3-6)

The Commission shall have the right to make such investigations as it deems necessary to determine the ability of the Applicant to perform the obligations of the proposed offer. The Commission reserves the right to reject any proposed offer where the evidence or information does not satisfy the Commission that the Applicant is qualified to properly carry out the obligations of the proposed offer, or where the Applicant refuses to cooperate or assist the Commission in making such investigation.

➤ ***Statement for Public Disclosure***

(Proposal Forms, pages 7-8)

The Commission shall have the right to make such investigations as it deems necessary to determine the completeness of the Applicant's disclosure. The Commission reserves the right to reject any proposed offer where the available evidence or information does not satisfy the Commission that the Applicant has made a full disclosure, or where the Applicant refuses to cooperate and assist the Commission in making such investigation, or the Commission otherwise determines said Statement to be unsatisfactory.

➤ ***Affidavit of Non-Collusion***

(Proposal Forms, page 9)

The form of Affidavit of Non-Collusion is included in the Proposal Forms, and the Applicant must use the form provided. The Affidavit is to the effect that the Applicant has not colluded, conspired, connived, or agreed with any other Applicant or person, firm or corporation in regard to any offer submitted to the Commission. The failure of any Applicant to submit the Affidavit of Non-Collusion shall be cause for rejection of the offer.

➤ ***Corrections***

Erasures or other changes to the Proposal Forms must be explained or noted over the signature of the Applicant.

➤ ***Withdrawal of Proposals***

Proposals submitted prior to the scheduled public opening of the bids may be withdrawn upon written request of the Applicant if such request is received by the Department not less than twenty-four (24) hours prior to said public opening. Unopened bids will be returned promptly.

Commission's Rights

The Commission reserves the right to accept or reject any or all proposals and to waive any

formalities in bidding which are not mandatory requirements.

Execution of Contract

Upon award of the bid by the Commission, the successful Applicant shall enter into a Contract for Sale of Land with the Commission for the purchase and development of said property within 30 days of notice of acceptance. The Contract for Sale of Land will provide for the conveyance of the property therein purchased by quit-claim deed, together with title insurance policy showing good and merchantable title, upon payment of the full purchase price.

Additional Information

For further information as to the disposition program of the South Bend Redevelopment Commission, and to inquire about touring the property in advance of bidding, interested parties should contact the following staff member:

Joseph Molnar
Property Development Manager
1400 S. County-City Building
227 West Jefferson Boulevard
South Bend, Indiana 46601
(574) 245-6052 (Office Phone)
jrmolnar@southbendin.gov

Offering Sheet

Property	Size	Minimum Offering Price	Proposed Re-Use
<p>510 S. Main Street and 114 Monroe.</p> <p>018-3017-0618 018-3017-0620 018-3017-0621 018-3017-0622 018-3017-0623 018-3017-0615</p> <p>(see map on page 9)</p>	<p>Site:</p> <p>76,230 SF +-</p>	<p style="text-align: center;"><u>\$671,500.00</u></p>	<p>Projects that are permitted within the DT Downtown zoning designation.</p> <p>Strong emphasis will be placed during the review process on compatibility with and support of the goals and objectives of the River West Development Area and the surrounding businesses and neighborhood.</p>

Property Tax Identification Numbers

018-3017-0618

018-3017-0620

018-3017-0621

018-3017-0622

018-3017-0623

018-3017-0615

Disposition Property Map



Bid Specifications & Design Considerations

**Sale of Redevelopment Owned Property
510 S. Main Street and 114 Monroe.
River West Development Area**

1. All of the provisions of I.C. 36-7-14-22 will apply to the bidding process.
2. All offers must meet the minimum price listed on the Offering Sheet (page 7).
3. Proposals for redevelopment are required to be for projects that are permitted within the DT Downtown zoning designation. All proposals must conform to the existing zoning provisions as outlined in the South Bend Zoning Ordinance Title 21 of the City of South Bend Municipal Code.

Proposals for the reuse of the property must include a basic reuse plan for the site and a project timeline detailing aspects of the site redevelopment and site improvements. During the review process, emphasis will be placed on compatibility with and support of the goals and objectives of the surrounding businesses and neighborhood and the Development Plan for the River West Development Area.

4. Bidders are prohibited from the use of the property for speculation or land-holding purposes.
5. All other provisions of the River West Development Area Development Plan must be met.

Notice of Intended Disposition of Property

RIVER WEST DEVELOPMENT AREA
510 S. Main Street and 114 Monroe.
South Bend, Indiana

Notice is hereby given that the Redevelopment Commission of the City of South Bend, Indiana, will receive sealed offers for the purchase of certain property situated in the River West Development Area until 9:00 a.m. (local time) on the February 23, 2023 in the Office of the Department of Redevelopment, 1400 S. County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana, 46601. All offers will be publicly opened and read aloud at 9:30 a.m. (local time) on the February 23, 2023 at the Regular Meeting of the Redevelopment Commission to be held that date and time in Room 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, IN 46601, or in the event of cancellation or rescheduling, at the Redevelopment Commission's subsequent regular meeting or rescheduled regular meeting held at a time and place given by public notice. Bid proposals for the purchase of the property offered will be considered.

The property being offered is located at 510 S. Main Street and 114 Monroe, in the River West Development Area, South Bend, Indiana. Any proposal submitted must be for the site as noted on the Offering Sheet. The required re-use of the property is for projects that are permitted within the DT Downtown zoning designation. Strong emphasis will be placed during the review process on compatibility with and support of the River West Development Area and the surrounding businesses and neighborhood.

A packet containing bid forms, the Offering Sheet and other pertinent information may be picked up at the Department of Community Investment, 1400 S. County-City Building, 227 West Jefferson Boulevard, South Bend, IN 46601.

The Commission reserves the right to reject any and all bids, and to make the award to the highest and best bidder. In determining the best bid, the Commission will take into consideration the following:

1. The use of the improvements proposed to be made by each bidder on the property, and their compatibility with and support of the proposed re-use as described in the Offering Sheet;
2. Each bidder's ability to improve the property with reasonable promptness;
3. Each bidder's proposed purchase price;
4. Any factors which will assure the Commission that the sale, if made, will further the carrying out of the Development Plan for the River West Development Area and will best serve the interest of the community from the standpoint of human and economic welfare; and
5. The ability of each bidder to finance the proposed improvements to the property with reasonable promptness.

The Commission further reserves the right to waive any formalities in bidding which are not mandatory requirements.

A bid submitted by a trust (as defined in IC 30-4-1-1(a)) must identify each:

- (A) beneficiary of the trust; and
- (B) settlor empowered to revoke or modify the trust.

To secure the execution of the disposition agreement, the purchase of the property and the redevelopment thereof in accordance with the agreement, the bidder must submit with the proposal a faithful performance guaranty, in the sum of ten percent (10%) of the amount offered for the purchase of the property. The guaranty sum may be in the form of a certified check, a cashier's check, surety bond, letter of credit from a bank or trust company as approved by the Redevelopment Commission, or by other sufficient security, but the form, substance and terms of the performance guaranty must be approved as satisfactory by the Redevelopment Commission. The performance guaranty, if by cashier's or certified check, shall be deposited in any account of the Department of Redevelopment, City of South Bend, in a bank or trust company selected by the Redevelopment Commission.

CITY OF SOUTH BEND, INDIANA
DEPARTMENT OF COMMUNITY INVESTMENT
Joseph Molnar, Property Development Manager
Publish Dates: February 3rd & February 10th 2023

Resolution Regarding Prevailing Wage Rates

RESOLUTION NO. 650

RESOLUTION REGARDING PREVAILING WAGE RATES

WHEREAS, the South Bend Redevelopment Commission ("Commission") has established redevelopment areas within the City of South Bend and has undertaken activities within those areas; and

WHEREAS, an integral part of that activity involves the sale of land for private development; and

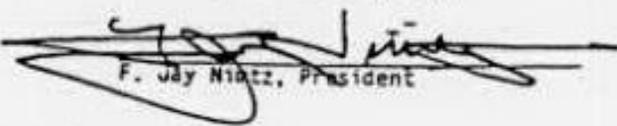
WHEREAS, the Commission desires that such sale of land and private development should have the maximum positive impact possible on the residents of the South Bend community; and

WHEREAS, the Commission has determined that the South Bend community will benefit from having local contractors constructing the private projects and being paid in accordance with the prevailing wage rates of St. Joseph County.

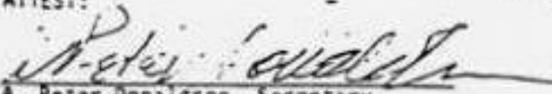
NOW, THEREFORE, BE IT RESOLVED, that the Commission encourages all purchasers of land acquired, cleared and sold by the Commission in redevelopment areas to use local contractors and local manpower and pay prevailing wage rates.

Adopted at the Regular Meeting of the South Bend Redevelopment Commission, held on the 23rd day of April, 1982, in the office of the Redevelopment Commission, Room 1200, County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

CITY OF SOUTH BEND, INDIANA
DEPARTMENT OF REDEVELOPMENT


F. Jay Niattz, President

ATTEST:


A. Peter Donaldson, Secretary



A Faithful Performance Guaranty in the sum of _____ Dollars (\$ _____), an amount equal to at least 10% of the total amount offered for the real property described in Exhibit "A", it being understood by the Applicant that the Faithful Performance Guaranty shall guarantee the Applicant's execution of and performance of the purchase or lease agreement. The Faithful Performance Guaranty will be refunded to the successful Applicant at such time the Commission deems that the improvements to the land, as proposed, have been completed and the Commission as evidenced by a Certificate of Completion issued by the Commission. The Faithful Performance Guaranty will be refunded in the event this offer is rejected.

Acceptance or rejection of Applicant's proposal shall be made by depositing such notification in the US Mail addressed to the undersigned (Applicant) at the address set forth below.

In submitting this offer to purchase or lease, it is understood that the right to reject such offer is reserved by the Commission. The undersigned further agrees to execute a contract for the purchase or lease of land for development in the form prepared by the Department within thirty (30) days after notification of acceptance of this offer and to develop and use the above identified parcel(s) of land in conformity with the Federal, State and Local ordinances and regulations; applicable Development Plan; the Bid Specifications & Design Considerations; and the Narrative Description and maps and plans as submitted herein, with amendments, if any, as approved by the Commission.

Dated _____

Respectfully submitted,

Name of Individual or Corporation

By: _____
Signature

Name (type)

Title

ATTEST: (BY SECRETARY OF A Corporation)

Address:

By: _____
Signature

Name (type)

Title

Address:

Statement of Qualifications and Financial Responsibility

Applicant: _____

Address: _____

1. Is the Applicant a subsidiary of or affiliated with any other corporation or corporations or any other firm or firms?
 Yes
 No

If yes, list each corporation or firm by name and address, specify its relationship to the Applicant, and identify the officers and directors or trustees common to the Applicant and such other corporation or firm:

2. The financial condition of the Applicant, as of _____, _____, is as reflected in the attached financial statement.

Name and address of auditor or public accountant who performed the audit on which said financial statement is based:

(NOTE: Attach to this statement a certified financial statement showing the assets and the liabilities, fully itemized in accordance with accepted accounting standards and based on a proper audit. If the date of the certified financial statement precedes the date of this submission by more than six months, also attach an interim balance sheet not more than 60 days old.)

3. If funds for development of the land are to be obtained from sources other than the Applicant's own funds, a statement of the Applicant's plan for financing the acquisition and development of the land:

4. Sources and amount of cash available to Applicant to meet equity requirements of the proposed undertaking:

- a. In banks:
Name and Address of Bank *Amount*
- b. By loans from affiliated or associated corporations or firms:
Name and Address of Bank *Amount*
- c. By sale of readily salable assets:
Description *Market Value* *Mortgages or Liens*

5. Names and addresses of bank references:

6. Has the Applicant or (if any), the parent corporation, or any subsidiary or affiliated corporation of the Applicant or said parent corporation, or any of the Applicant's officers or principal members, shareholders or investors, or other interested parties (as listed in items 5, 6, and 7 of the Statement for Public Disclosure and referred to herein as principals of the Applicant) been adjudged bankrupt, either voluntary or involuntary, within the past 10 years?

- Yes
 No

If yes, give date, place and under what name:

7. Has the Applicant or anyone referred to above as principals of the Applicant been indicted for or convicted of any felony within the past 10 years?

- Yes
 No

If yes, give for each case (1) date, (2) charge, (3) place, (4) Court, (5) action taken. Attach any explanation deemed necessary.

8. Undertakings, comparable to the proposed development, which have been completed by the Applicant or any of the principals of the Applicant, including a brief description of each project and date of completion:

9. If the Applicant, or any principals of the Applicant, has ever been an employee, in a supervisory capacity, for a construction contractor or builder on undertakings comparable

to the proposed development, the name of such employee, name and address of employer, title, and brief description of work:

10. If the Applicant or a parent corporation, a subsidiary, an affiliate, or a principal of the Applicant is to participate in the development of the land as a construction contractor or builder:

a. Name and address of such contractor or builder:

b. Has such contractor or builder within the last 10 years ever failed to qualify as a responsible bidder, refused to enter into a contract after an award has been made, or failed to complete a construction or development contract

Yes

No

If yes, explain:

c. Total amount of construction or development work performed by such contractor or builder during the last three years: \$.

General description of such work:

d. Construction contracts or developments now being performed by such contractor or builder:

<i>Identification of Contract or Development</i>	<i>Location</i>	<i>Amount</i>	<i>Date to be Completed</i>
--	-----------------	---------------	---------------------------------

11. Brief statement regarding equipment, experience, financial capacity, and other resources available to such contractor or builder for the performance of the work involved in the development of the land, specifying particularly the qualifications of the personnel, the nature of the equipment and the general experience of the contractor:

12. Does any member of the South Bend Redevelopment Commission or any officer or employee of the City of South Bend Department of Redevelopment have any direct or

indirect personal interest in the Applicant or the development of the land as proposed?

Yes

No

If yes, explain:

13. Does any member of the governing body of the City of South Bend or any public official or employee of the City of South Bend have any direct or indirect personal interest in the applicant or the development of the land as proposed?

If yes, explain:

14. Statements and other evidence of the Applicant's qualifications and financial responsibilities (other than the financial statement referred to above) are attached hereto and hereby made a part hereof as follows:

Certification

I (We), _____ Certify that this Statement of Qualifications and Financial Responsibility and the attached evidence of the Applicant's qualifications and financial responsibility, including financial statements, are true and correct to the best of my (our) knowledge and belief.

_____	_____
<i>Name</i>	<i>Name</i>
_____	_____
<i>Signature</i>	<i>Signature</i>
_____	_____
<i>Title</i>	<i>Title</i>
_____	_____
<i>Date</i>	<i>Date</i>

(If the Applicant is an individual, this statement should be signed by such individual; if a partnership, by one of the partners; if a corporation or other entity, by one of its chief officers having knowledge of the facts required by this statement)

Statement for Public Disclosure

Applicant: _____

Address: _____

Taxpayer ID#: _____

1. Applicant proposes to enter into contract for the purchase or lease of land from the South Bend Redevelopment Commission. Said land is more accurately described in Exhibit "A".

2. Organizational Status of Applicant:
 - An individual
 - A corporation
 - A not-for-profit corporation or charitable institution
 - A partnership known as:
 - A business association or a joint venture known as:
 - A Federal, State or Local government or instrument thereof
 - Other (explain): _____

3. Organized and operating under the laws of _____

4. Date of Organization: _____

5. Names, addresses, and title of principal officers, investors, members or shareholders of Applicant, as follows: (attach additional sheets if necessary)
 - a. CORPORATION: the officers, directors or trustees, and each stockholder owning more than 10% of any class stock

 - b. NOT-FOR-PROFIT: the members who constitute the board of trustees or board of directors or similar governing body

 - c. PARTNERSHIP: each partner, whether a general or limited partner, and the nature and percent of interest

 - d. BUSINESS ASSOCIATION OR JOINT VENTURE: each participant and the nature and percent of interest

- e. OTHER ENTITY: the officers, the members of the governing body, and each person having an interest of more than 10%

Name & Address

Title and nature and percent of interest

6. Names, addresses, and the nature and percent of interest of each person or entity (not named in Item 5) who has a beneficial interest in any of the shareholders or investors named in Item 5 which gives such person or entity more than a computed 10% interest in the Applicant (for example, more than 20% of the stock in a corporation which holds 50% of the stock of the Applicant; or more than 50% of the stock in a corporation which holds 20% of the stock of the Applicant).

Name & Address

Title and nature and percent of interest

7. Names of officers and directors, or trustees of any corporation or firm listed under Item 5 or Item 6 above.

Name & Address

Title and nature and percent of interest

Certification

I (We), _____ Certify that this Statement for Public Disclosure is true and correct to the best of my (our) knowledge and belief.

Name

Name

Signature

Signature

Title

Title

Date

Date

(If the Applicant is an individual, this statement should be signed by such individual; if a partnership, it should be signed by one of the partners; if a corporation or other entity, it should be signed by one of its chief officers having knowledge of the facts required by this statement)



CITY OF SOUTH BEND REDEVELOPMENT COMMISSION

Redevelopment Commission Agenda Item

DATE: 1/19/22
FROM: Joseph Molnar
SUBJECT: Request to Advertise

_____ Pres/V-Pres

ATTEST: _____ Secretary

Date: _____

APPROVED Not Approved

SOUTH BEND REDEVELOPMENT COMMISSION

Which TIF? (circle one) River West; River East; South Side; Douglas Road; West Washington

PURPOSE OF REQUEST: Request to Advertise
Salvation Army Building

Specifics: Attached is the Notice of Intended Disposition of Property (Notice) for multiple the former Salvation Army Building.

This Notice is planned to be advertised in the South Bend Tribune on February 3rd and 10th 2023.

Staff requests approval of the offering price for the eventual disposition of these properties.

INTERNAL USE ONLY: Project Code: _____;
Total Amount new/change (inc/dec) in budget: _____; Break down:
Costs: Engineering Amt: _____; Other Prof Serv Amt _____;
Acquisition of Land/Bldg (circle one) Amt: _____; Street Const Amt _____;
Building Imp Amt _____; Sewers Amt _____; Other (specify) Amt: _____
_____. Going to BPW for Contracting? Y/N
Is this item ready to encumber now? ____ Existing PO# _____ Inc/Dec \$ _____



CITY OF SOUTH BEND

REDEVELOPMENT COMMISSION

Redevelopment Commission Agenda Item

DATE: 1/19/22
FROM: Joseph Molnar
SUBJECT: Establishing Offering Price

_____ Pres/V-Pres

ATTEST: _____ Secretary

Date: _____

APPROVED Not Approved

SOUTH BEND REDEVELOPMENT COMMISSION

Which TIF? (circle one) River West; River East; South Side; Douglas Road; West Washington

PURPOSE OF REQUEST: Establishing Offering Price
18 Chestnut – Vac Lot 50 X 120 / 18 VAC L34 6X20 Walnut

Specifics: Attached is a resolution establishing the offering price of property in the West Washington Chapin Development Area for the disposition of property at 18 Chestnut – Vac Lot 50 X 120 / 18 VAC L34 6X20 Walnut. Both properties have been vacant for a number of years.

The minimum offering price of \$1,930 is the average of two appraisals by qualified, independent, professional real estate appraisers.

Staff requests approval of the offering price for the eventual disposition of these properties.

INTERNAL USE ONLY: Project Code: _____;
Total Amount new/change (inc/dec) in budget: _____; Break down:
Costs: Engineering Amt: _____; Other Prof Serv Amt _____;
Acquisition of Land/Bldg (circle one) Amt: _____; Street Const Amt _____;
Building Imp Amt _____; Sewers Amt _____; Other (specify) Amt: _____
_____. Going to BPW for Contracting? Y/N
Is this item ready to encumber now? ____ Existing PO# _____ Inc/Dec \$ _____

EXCELLENCE | ACCOUNTABILITY | INNOVATION | INCLUSION | EMPOWERMENT

RESOLUTION NO. 3569**RESOLUTION OF THE SOUTH BEND REDEVELOPMENT
COMMISSION ESTABLISHING THE OFFERING PRICE OF
PROPERTY IN THE WEST WASHINGTON CHAPIN DEVELOPMENT AREA**

WHEREAS, the South Bend Redevelopment Commission (the "Commission"), the governing body of the City of South Bend, Indiana, Department of Redevelopment, exists and operates pursuant to I.C. 36-7-14 (the "Act"); and

WHEREAS, the Commission may dispose of real property in accordance with Section 22 of the Act; and

WHEREAS, the real property identified at Exhibit A attached hereto and incorporated herein (the "Property") has been appraised by two qualified, independent, professional real estate appraisers and a written and signed copy of their appraisals is contained in the Commission's files; and

WHEREAS, each such appraisal has been reviewed by a qualified Redevelopment staff person, and no corrections, revisions, or additions were requested by such reviewer.

NOW, THEREFORE, BE IT RESOLVED by the Commission, pursuant to Section 22 of the Act, that based upon such appraisals, the offering price of the Property described at Exhibit A is hereby established as stated therein, which amount is not less than the average of the two appraisals, and all documentation related to such determination is contained in the Commission's files.

IT IS FURTHER RESOLVED that all notices and other actions required by Section 22 of the Act be performed in order to effectuate the disposal of the Property.

ADOPTED at a meeting of the South Bend Redevelopment Commission held on January 26, 2023, at 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

SOUTH BEND REDEVELOPMENT
COMMISSION

Marcia I. Jones, President

ATTEST:

Vivian Sallie, Secretary

**EXHIBIT A
TO RESOLUTION NO. 3569**

Property	Size	Minimum Offering Price	Proposed Re-Use
18 Chestnut – Vac Lot 50 x 120 / 18 VAC L34 6x20 Walnut	Site:		Projects that are permitted within the U1 Urban Neighborhood zoning designation.
018-3076-3059	4,397 SF +- 120 SF +-	<u>\$1,930</u>	Strong emphasis will be placed during the review process on compatibility with and support of the goals and objectives of the West Washington Chapin Development Area and the surrounding businesses and neighborhood.
018-3076-305301			

Notice of Intended Disposition of Property

WEST WASHINGTON CHAPIN DEVELOPMENT AREA
18 Chestnut – Vac Lot 50 x 120 / 18 VAC L34 6x20 Walnut
South Bend, Indiana

Notice is hereby given that the Redevelopment Commission of the City of South Bend, Indiana, will receive sealed offers for the purchase of certain property situated in the west Washington Chapin Development Area until 9:00 a.m. (local time) on the February 23rd 2023 in the Office of the Department of Redevelopment, 1400 S. County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana, 46601. All offers will be publicly opened and read aloud at 9:30 a.m. (local time) on the February 23rd, 2023 at the Regular Meeting of the Redevelopment Commission to be held that date and time in Room 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, IN 46601, or in the event of cancellation or rescheduling, at the Redevelopment Commission's subsequent regular meeting or rescheduled regular meeting held at a time and place given by public notice. Bid proposals for the purchase of the property offered will be considered.

The property being offered is located at 18 Chestnut – Vac Lot 50 x 120 / 18 VAC L34 6x20 Walnut., in the West Washington Chapin Development Area, South Bend, Indiana. Any proposal submitted must be for the site as noted on the Offering Sheet. The required re-use of the property is for projects that are permitted within the U1 Urban Neighborhood One zoning designation. Strong emphasis will be placed during the review process on compatibility with and support of the West Washington Chapin Development Area and the surrounding businesses and neighborhood.

A packet containing bid forms, the Offering Sheet and other pertinent information may be picked up at the Department of Community Investment, 1400 S. County-City Building, 227 West Jefferson Boulevard, South Bend, IN 46601.

The Commission reserves the right to reject any and all bids, and to make the award to the highest and best bidder. In determining the best bid, the Commission will take into consideration the following:

1. The use of the improvements proposed to be made by each bidder on the property, and their compatibility with and support of the proposed re-use as described in the Offering Sheet
2. Each bidder's ability to improve the property with reasonable promptness
3. Each bidder's proposed purchase price
4. Any factors which will assure the Commission that the sale, if made, will further the carrying out of the Development Plan for the West Washington Chapin Development Area and will best serve the interest of the community from the standpoint of human and economic welfare
5. The ability of each bidder to finance the proposed improvements to the property with reasonable promptness

The Commission further reserves the right to waive any formalities in bidding which are not mandatory requirements.

A bid submitted by a trust (as defined in IC 30-4-1-1(a)) must identify each:

- (A) beneficiary of the trust; and
- (B) settlor empowered to revoke or modify the trust.

To secure the execution of the disposition agreement, the purchase of the property and the redevelopment thereof in accordance with the agreement, the bidder must submit with the proposal a faithful performance guaranty, in the sum of ten percent (10%) of the amount offered for the purchase of the property. The guaranty sum may be in the form of a certified check, a cashier's check, surety bond, letter of credit from a bank or trust company as approved by the Redevelopment Commission, or by other sufficient security, but the form, substance and terms of the performance guaranty must be approved as satisfactory by the Redevelopment Commission. The performance guaranty, if by cashier's or certified check, shall be deposited in any account of the Department of Redevelopment, City of South Bend, in a bank or trust company selected by the Redevelopment Commission.

CITY OF SOUTH BEND, INDIANA
DEPARTMENT OF COMMUNITY INVESTMENT
Joseph Molnar, Property Development Manager
Publish Dates: February 3rd & February 10th 2023

Bid Specifications & Design Considerations

Sale of Redevelopment Owned Property 18 Chestnut – Vac Lot 50 x 120 / 18 VAC L34 6x20 Walnut West Washington Chapin Development Area

1. All of the provisions of I.C. 36-7-14-22 will apply to the bidding process.
2. All offers must meet the minimum price listed on the Offering Sheet (page 7).
3. Proposals for redevelopment are required to be for projects that are permitted within the U1 Urban Neighborhood zoning designation. All proposals must conform to the existing zoning provisions as outlined in the South Bend Zoning Ordinance Title 21 of the City of South Bend Municipal Code.

Proposals for the reuse of the property must include a basic reuse plan for the site and a project timeline detailing aspects of the site redevelopment and site improvements. During the review process, emphasis will be placed on compatibility with and support of the goals and objectives of the surrounding businesses and neighborhood and the Development Plan for the West Washington Chapin Development Area.

4. Bidders are prohibited from the use of the property for speculation or land-holding purposes.
5. All other provisions of the West Washington Development Area Development Plan must be met.

Proposal Documents and Forms for Property Disposition

City of South Bend
Redevelopment Commission

18 Chestnut – Vac Lot 50 x 120 / 18 VAC L34 6x20 Walnut
West Washington Chapin Development Area

City of South Bend

James Mueller
Mayor

Caleb Bauer
Executive Director
Department of Community Investment

Sandra Kennedy
Corporation Counsel

Redevelopment Commission

Marcia Jones
President

Troy Warner
Vice-President

Vivian Sallie
Secretary

Eli Wax
Member

David Relos
Member

Bidding Expires at 9:00 a.m. (local time) on- February 23, 2023

Index of Documents

Proposal Documents

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Instructions to Applicants

The South Bend Redevelopment Commission (“Commission”) invites proposals for the purchase and re-use of certain real property located at 18 Chestnut – Vac Lot 50 x 120 / 18 VAC L34 6x20 Walnut, within the West Washington Chapin Development Area, South Bend, Indiana.

The Proposal Documents provide Applicants with essential information regarding the Disposition process and the Project Site. Each Applicant should read this information thoroughly before submitting a proposal to the Commission. The Proposal Forms are required as part of any proposal submitted for the purchase of Commission-owned land. All Forms must be complete. The Commission may reject any proposal submitted with incomplete or missing information.

Evaluation Criteria

The Commission may use the following criteria to guide its review and acceptance or denial of a proposal:

- The degree to which the Applicant’s proposal meets the objectives of the Development Plan for the West Washington Development Area prepared by the Department of Community Investment and approved by the Commission, the South Bend Plan Commission, and the Common Council; and the surrounding businesses and neighborhood.
- The use of the improvements proposed to be made by the Applicant on the real property; the Applicant's plans and ability to implement the re-use of the real estate with reasonable promptness; whether the real property will be sold or rented; the Applicant's proposed sale or rental prices; and any factors which will assure the Commission that the sale, if made, will further the execution of the River West Development Plan and will best serve the interest of the community, from the standpoint of both human and economic welfare.
- The financial responsibility, qualifications, experience and ability of the Applicant to finance and complete the development.
- The proposal which will provide the Commission with the best possible development, based upon the price offered for the property and consistent with the preceding objectives.
- Any conflict among these criteria will be reconciled to the best interest of the Development Area and the City of South Bend, as determined by the Commission.

Disposition Process

Bidding

All bids for the purchase and re-use of certain property in the West Washington Chapin Development Area must be delivered to the Department of Community Investment ("Department"), located at:

1400 S. County-City Building
227 West Jefferson Boulevard
South Bend, Indiana 46601

on or before 9:00 a.m. (local time) on the February 23, 2023. All proposals will be opened and made public at a public meeting of the South Bend Redevelopment Commission, held at 9:30 a.m. (local time) on the February 23, 2023 at 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601, or in the event of cancellation or rescheduling, at the Redevelopment Commission's subsequent regular meeting or rescheduled regular meeting held at a time and place given by public notice.

Proposals with completed forms and without any missing information will be reviewed by the Commission according to the Evaluation Criteria as stated above. The Commission reserves the right to reject any bid and may make awards to the highest and best bidder. Notice of acceptance or rejection will be mailed to each of the bidders via US Mail to the address stated on the Proposal Forms.

All offers will be subject to the requirements of the *Contract for Sale of Land* as referenced on Page 6.

After the Bidding Period

Once the bidding period has expired, proposals may be made to the Commission for the remaining property available, if any.

All Applicants should familiarize themselves with the Proposal Forms and any proposal submitted after the bidding period has expired shall be completed utilizing the Proposal Forms. Proposals after the termination of the bidding period are to be submitted to the Department for review and consideration. The Commission will review proposals based upon the Evaluation Criteria as stated above. The Commission reserves the right to reject any proposal. Notice of acceptance or rejection will be mailed to each of the Applicants via US Mail to the address as stated on the Proposal Forms.

Proposals

All proposals must be complete and include the information and documentation requested in the Proposal Forms. Proposals that are submitted with incomplete or missing information will not be accepted. Applicant must use the Proposal Forms as provided by the Department.

Proposal Forms

The Proposal Forms must be complete before the Commission will review the proposal. The first and second pages of the Proposal Forms describe the Applicant's offer for the real property. Applicants shall fill in all applicable spaces and sign accordingly.

Each Applicant shall submit the following as part of the Applicant's proposed offer:

➤ ***Narrative Description***

(Proposal Forms, page 1)

A Narrative Description of the Applicant's proposed development project for the real property must be submitted as part of the proposal. The Narrative Description should note the exact nature, character and use of the proposed improvements. Maps, plans and drawings shall be included to clearly indicate the location, size, materials, style of structures, parking lots, and other improvements. All proposed improvements and uses must conform to the Bid Specifications and Design Considerations and the West Washington Chapin Development Area Development Plan. The maps, plans and drawings as submitted will be examined by the Commission to determine whether, in the Commission's sole opinion, the Applicant's proposal conforms to the Bid Specifications and the West Washington Chapin Development Plan. The Commission may reject any offer which does not conform to said Specifications, Guidelines and/or Plan.

➤ ***Proposed Site Plan***

(Proposal Forms, page 1)

All Applicants must submit a site plan for the real property on which the Applicant has made an offer. This site plan should be included as Exhibit "A" of the proposal. If the Applicant's proposal is accepted, the Applicant will be required to formalize the site plan with Commission Staff as part of the final documentation.

➤ ***Faithful Performance Guaranty***

(Proposal Forms, page 2)

All proposals must be submitted with a Faithful Performance Guaranty in an amount not less than 10% of the total purchase price offered for the property. The Faithful Performance Guaranty will secure the execution of the Contract and the development of the proposed improvements. The Faithful Performance Guaranty may be in the form of a certified or cashier's check or other security as approved by the Department. No offer will be considered unless it is accompanied by the required guaranty. All checks should be made payable to the *City of South Bend, Department of Community Investment.*

Except as otherwise herein noted, the Faithful Performance Guaranty of all unsuccessful Applicants will be returned as soon as practicable after notice of rejection.

The Faithful Performance Guaranty will be refunded to the successful Applicant at such time that the Commission deems that Applicant has completed all improvements to the real property, as proposed, and the Commission has issued a Certificate of Completion evidencing same.

➤ ***Statement of Qualifications and Financial Responsibility***

(Proposal Forms, pages 3-6)

The Commission shall have the right to make such investigations as it deems necessary to determine the ability of the Applicant to perform the obligations of the proposed offer. The Commission reserves the right to reject any proposed offer where the evidence or information does not satisfy the Commission that the Applicant is qualified to properly carry out the obligations of the proposed offer, or where the Applicant refuses to cooperate or assist the Commission in making such investigation.

➤ ***Statement for Public Disclosure***

(Proposal Forms, pages 7-8)

The Commission shall have the right to make such investigations as it deems necessary to determine the completeness of the Applicant's disclosure. The Commission reserves the right to reject any proposed offer where the available evidence or information does not satisfy the Commission that the Applicant has made a full disclosure, or where the Applicant refuses to cooperate and assist the Commission in making such investigation, or the Commission otherwise determines said Statement to be unsatisfactory.

➤ ***Affidavit of Non-Collusion***

(Proposal Forms, page 9)

The form of Affidavit of Non-Collusion is included in the Proposal Forms, and the Applicant must use the form provided. The Affidavit is to the effect that the Applicant has not colluded, conspired, connived, or agreed with any other Applicant or person, firm or corporation in regard to any offer submitted to the Commission. The failure of any Applicant to submit the Affidavit of Non-Collusion shall be cause for rejection of the offer.

➤ ***Corrections***

Erasures or other changes to the Proposal Forms must be explained or noted over the signature of the Applicant.

➤ ***Withdrawal of Proposals***

Proposals submitted prior to the scheduled public opening of the bids may be withdrawn upon written request of the Applicant if such request is received by the Department not less than twenty-four (24) hours prior to said public opening. Unopened bids will be returned promptly.

Commission's Rights

The Commission reserves the right to accept or reject any or all proposals and to waive any

formalities in bidding which are not mandatory requirements.

Execution of Contract

Upon award of the bid by the Commission, the successful Applicant shall enter into a Contract for Sale of Land with the Commission for the purchase and development of said property within 30 days of notice of acceptance. The Contract for Sale of Land will provide for the conveyance of the property therein purchased by quit-claim deed, together with title insurance policy showing good and merchantable title, upon payment of the full purchase price.

Additional Information

For further information as to the disposition program of the South Bend Redevelopment Commission, and to inquire about touring the property in advance of bidding, interested parties should contact the following staff member:

Joseph Molnar
Property Development Manager
1400 S. County-City Building
227 West Jefferson Boulevard
South Bend, Indiana 46601
(574) 245-6052 (Office Phone)
jrmolnar@southbendin.gov

Offering Sheet

Property	Size	Minimum Offering Price	Proposed Re-Use
<p>18 Chestnut – Vac Lot 50 x 120 / 18 VAC L34 6x20 Walnut</p> <p>018-3076-3059</p> <p>018-3076-305301</p> <p>(see map on page 9)</p>	<p>Site:</p> <p>4,397 SF +- 120 SF +-</p>	<p style="text-align: center;"><u>\$ 1,930</u></p>	<p>Projects that are permitted within the U1 Urban Neighborhood zoning designation.</p> <p>Strong emphasis will be placed during the review process on compatibility with and support of the goals and objectives of the West Washington Chapin Development Area and the surrounding businesses and neighborhood.</p>

Property Tax Identification Numbers

018-3076-3059

018-3076-305301

Disposition Property Map



Bid Specifications & Design Considerations

Sale of Redevelopment Owned Property 18 Chestnut – Vac Lot 50 x 120 / 18 VAC L34 6x20 Walnut West Washington Chapin Development Area

1. All of the provisions of I.C. 36-7-14-22 will apply to the bidding process.
2. All offers must meet the minimum price listed on the Offering Sheet (page 7).
3. Proposals for redevelopment are required to be for projects that are permitted within the U1 Urban Neighborhood zoning designation. All proposals must conform to the existing zoning provisions as outlined in the South Bend Zoning Ordinance Title 21 of the City of South Bend Municipal Code.

Proposals for the reuse of the property must include a basic reuse plan for the site and a project timeline detailing aspects of the site redevelopment and site improvements. During the review process, emphasis will be placed on compatibility with and support of the goals and objectives of the surrounding businesses and neighborhood and the Development Plan for the West Washington Chapin Development Area.

4. Bidders are prohibited from the use of the property for speculation or land-holding purposes.
5. All other provisions of the West Washington Development Area Development Plan must be met.

Notice of Intended Disposition of Property

WEST WASHINGTON CHAPIN DEVELOPMENT AREA
18 Chestnut – Vac Lot 50 x 120 / 18 VAC L34 6x20 Walnut
South Bend, Indiana

Notice is hereby given that the Redevelopment Commission of the City of South Bend, Indiana, will receive sealed offers for the purchase of certain property situated in the west Washington Chapin Development Area until 9:00 a.m. (local time) on the February 23, 2023 in the Office of the Department of Redevelopment, 1400 S. County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana, 46601. All offers will be publicly opened and read aloud at 9:30 a.m. (local time) on the February 23, 2023 at the Regular Meeting of the Redevelopment Commission to be held that date and time in Room 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, IN 46601, or in the event of cancellation or rescheduling, at the Redevelopment Commission's subsequent regular meeting or rescheduled regular meeting held at a time and place given by public notice. Bid proposals for the purchase of the property offered will be considered.

The property being offered is located at 18 Chestnut – Vac Lot 50 x 120 / 18 VAC L34 6x20 Walnut., in the West Washington Chapin Development Area, South Bend, Indiana. Any proposal submitted must be for the site as noted on the Offering Sheet. The required re-use of the property is for projects that are permitted within the U1 Urban Neighborhood One zoning designation. Strong emphasis will be placed during the review process on compatibility with and support of the West Washington Chapin Development Area and the surrounding businesses and neighborhood.

A packet containing bid forms, the Offering Sheet and other pertinent information may be picked up at the Department of Community Investment, 1400 S. County-City Building, 227 West Jefferson Boulevard, South Bend, IN 46601.

The Commission reserves the right to reject any and all bids, and to make the award to the highest and best bidder. In determining the best bid, the Commission will take into consideration the following:

1. The use of the improvements proposed to be made by each bidder on the property, and their compatibility with and support of the proposed re-use as described in the Offering Sheet;
2. Each bidder's ability to improve the property with reasonable promptness;
3. Each bidder's proposed purchase price;
4. Any factors which will assure the Commission that the sale, if made, will further the carrying out of the Development Plan for the West Washington Chapin Development Area and will best serve the interest of the community from the standpoint of human and economic welfare; and
5. The ability of each bidder to finance the proposed improvements to the property with reasonable promptness.

The Commission further reserves the right to waive any formalities in bidding which are not mandatory requirements.

A bid submitted by a trust (as defined in IC 30-4-1-1(a)) must identify each:

- (A) beneficiary of the trust; and
- (B) settlor empowered to revoke or modify the trust.

To secure the execution of the disposition agreement, the purchase of the property and the redevelopment thereof in accordance with the agreement, the bidder must submit with the proposal a faithful performance guaranty, in the sum of ten percent (10%) of the amount offered for the purchase of the property. The guaranty sum may be in the form of a certified check, a cashier's check, surety bond, letter of credit from a bank or trust company as approved by the Redevelopment Commission, or by other sufficient security, but the form, substance and terms of the performance guaranty must be approved as satisfactory by the Redevelopment Commission. The performance guaranty, if by cashier's or certified check, shall be deposited in any account of the Department of Redevelopment, City of South Bend, in a bank or trust company selected by the Redevelopment Commission.

CITY OF SOUTH BEND, INDIANA
DEPARTMENT OF COMMUNITY INVESTMENT
Joseph Molnar, Property Development Manager
Publish Dates: February 3rd & February 10th 2023

Resolution Regarding Prevailing Wage Rates

RESOLUTION NO. 658

RESOLUTION REGARDING PREVAILING WAGE RATES

WHEREAS, the South Bend Redevelopment Commission ("Commission") has established redevelopment areas within the City of South Bend and has undertaken activities within those areas; and

WHEREAS, an integral part of that activity involves the sale of land for private development; and

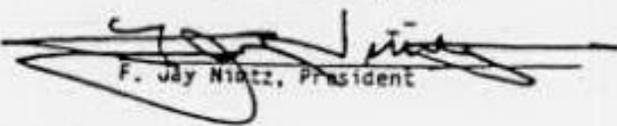
WHEREAS, the Commission desires that such sale of land and private development should have the maximum positive impact possible on the residents of the South Bend community; and

WHEREAS, the Commission has determined that the South Bend community will benefit from having local contractors constructing the private projects and being paid in accordance with the prevailing wage rates of St. Joseph County.

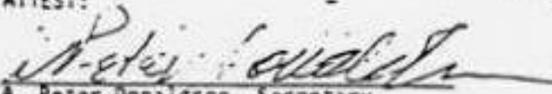
NOW, THEREFORE, BE IT RESOLVED, that the Commission encourages all purchasers of land acquired, cleared and sold by the Commission in redevelopment areas to use local contractors and local manpower and pay prevailing wage rates.

Adopted at the Regular Meeting of the South Bend Redevelopment Commission, held on the 23rd day of April, 1982, in the office of the Redevelopment Commission, Room 1200, County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

CITY OF SOUTH BEND, INDIANA
DEPARTMENT OF REDEVELOPMENT


F. Jay Niatt, President

ATTEST:


A. Peter Donaldson, Secretary



A Faithful Performance Guaranty in the sum of _____ Dollars (\$ _____), an amount equal to at least 10% of the total amount offered for the real property described in Exhibit "A", it being understood by the Applicant that the Faithful Performance Guaranty shall guarantee the Applicant's execution of and performance of the purchase or lease agreement. The Faithful Performance Guaranty will be refunded to the successful Applicant at such time the Commission deems that the improvements to the land, as proposed, have been completed and the Commission as evidenced by a Certificate of Completion issued by the Commission. The Faithful Performance Guaranty will be refunded in the event this offer is rejected.

Acceptance or rejection of Applicant's proposal shall be made by depositing such notification in the US Mail addressed to the undersigned (Applicant) at the address set forth below.

In submitting this offer to purchase or lease, it is understood that the right to reject such offer is reserved by the Commission. The undersigned further agrees to execute a contract for the purchase or lease of land for development in the form prepared by the Department within thirty (30) days after notification of acceptance of this offer and to develop and use the above identified parcel(s) of land in conformity with the Federal, State and Local ordinances and regulations; applicable Development Plan; the Bid Specifications & Design Considerations; and the Narrative Description and maps and plans as submitted herein, with amendments, if any, as approved by the Commission.

Dated _____

Respectfully submitted,

Name of Individual or Corporation

By:

Signature

Name (type)

Title

ATTEST: (BY SECRETARY OF A Corporation)

Address:

By:

Signature

Name (type)

Title

Address:

Statement of Qualifications and Financial Responsibility

Applicant: _____

Address: _____

1. Is the Applicant a subsidiary of or affiliated with any other corporation or corporations or any other firm or firms?
 Yes
 No

If yes, list each corporation or firm by name and address, specify its relationship to the Applicant, and identify the officers and directors or trustees common to the Applicant and such other corporation or firm:

2. The financial condition of the Applicant, as of _____, _____, is as reflected in the attached financial statement.

Name and address of auditor or public accountant who performed the audit on which said financial statement is based:

(NOTE: Attach to this statement a certified financial statement showing the assets and the liabilities, fully itemized in accordance with accepted accounting standards and based on a proper audit. If the date of the certified financial statement precedes the date of this submission by more than six months, also attach an interim balance sheet not more than 60 days old.)

3. If funds for development of the land are to be obtained from sources other than the Applicant's own funds, a statement of the Applicant's plan for financing the acquisition and development of the land:

4. Sources and amount of cash available to Applicant to meet equity requirements of the proposed undertaking:

- a. In banks:
Name and Address of Bank *Amount*
- b. By loans from affiliated or associated corporations or firms:
Name and Address of Bank *Amount*
- c. By sale of readily salable assets:
Description *Market Value* *Mortgages or Liens*

5. Names and addresses of bank references:

6. Has the Applicant or (if any) the parent corporation, or any subsidiary or affiliated corporation of the Applicant or said parent corporation, or any of the Applicant's officers or principal members, shareholders or investors, or other interested parties (as listed in items 5, 6, and 7 of the Statement for Public Disclosure and referred to herein as principals of the Applicant) been adjudged bankrupt, either voluntary or involuntary, within the past 10 years?

- Yes
 No

If yes, give date, place and under what name:

7. Has the Applicant or anyone referred to above as principals of the Applicant been indicted for or convicted of any felony within the past 10 years?

- Yes
 No

If yes, give for each case (1) date, (2) charge, (3) place, (4) Court, (5) action taken. Attach any explanation deemed necessary.

8. Undertakings, comparable to the proposed development, which have been completed by the Applicant or any of the principals of the Applicant, including a brief description of each project and date of completion:

9. If the Applicant, or any principals of the Applicant, has ever been an employee, in a supervisory capacity, for a construction contractor or builder on undertakings comparable to the proposed development, the name of such employee, name and address of employer,

title, and brief description of work:

10. If the Applicant or a parent corporation, a subsidiary, an affiliate, or a principal of the Applicant is to participate in the development of the land as a construction contractor or builder:

a. Name and address of such contractor or builder:

b. Has such contractor or builder within the last 10 years ever failed to qualify as a responsible bidder, refused to enter into a contract after an award has been made, or failed to complete a construction or development contract?

Yes

No

If yes, explain:

c. Total amount of construction or development work performed by such contractor or builder during the last three years: \$ _____.

General description of such work:

d. Construction contracts or developments now being performed by such contractor or builder:

<i>Identification of Contract or Development</i>	<i>Location</i>	<i>Amount</i>	<i>Date to be Completed</i>
--	-----------------	---------------	---------------------------------

11. Brief statement regarding equipment, experience, financial capacity, and other resources available to such contractor or builder for the performance of the work involved in the development of the land, specifying particularly the qualifications of the personnel, the nature of the equipment and the general experience of the contractor:

12. Does any member of the South Bend Redevelopment Commission or any officer or employee of the City of South Bend Department of Redevelopment have any direct or indirect personal interest in the Applicant or the development of the land as proposed?

Yes

No

If yes, explain:

13. Does any member of the governing body of the City of South Bend or any public official or employee of the City of South Bend have any direct or indirect personal interest in the applicant or the development of the land as proposed?

If yes, explain:

14. Statements and other evidence of the Applicant's qualifications and financial responsibilities (other than the financial statement referred to above) are attached hereto and hereby made a part hereof as follows:

Certification

I (We), _____ Certify that this Statement of Qualifications and Financial Responsibility and the attached evidence of the Applicant's qualifications and financial responsibility, including financial statements, are true and correct to the best of my (our) knowledge and belief.

_____	_____
<i>Name</i>	<i>Name</i>
_____	_____
<i>Signature</i>	<i>Signature</i>
_____	_____
<i>Title</i>	<i>Title</i>
_____	_____
<i>Date</i>	<i>Date</i>

(If the Applicant is an individual, this statement should be signed by such individual; if a partnership, by one of the partners; if a corporation or other entity, by one of its chief officers having knowledge of the facts required by this statement)

Statement for Public Disclosure

Applicant: _____

Address: _____

Taxpayer ID#: _____

1. Applicant proposes to enter into contract for the purchase or lease of land from the South Bend Redevelopment Commission. Said land is more accurately described in Exhibit "A".

2. Organizational Status of Applicant:

- An individual
- A corporation
- A not-for-profit corporation or charitable institution
- A partnership known as:
- A business association or a joint venture known as:
- A Federal, State or Local government or instrument thereof
- Other (explain): _____

3. Organized and operating under the laws of _____

4. Date of Organization: _____

5. Names, addresses, and title of principal officers, investors, members or shareholders of Applicant, as follows: (attach additional sheets if necessary)

- a. CORPORATION: the officers, directors or trustees, and each stockholder owning more than 10% of any class stock
- b. NOT-FOR-PROFIT: the members who constitute the board of trustees or board of directors or similar governing body
- c. PARTNERSHIP: each partner, whether a general or limited partner, and the nature and percent of interest
- d. BUSINESS ASSOCIATION OR JOINT VENTURE: each participant and the nature and percent of interest

- e. OTHER ENTITY: the officers, the members of the governing body, and each person having an interest of more than 10%

Name & Address

Title and nature and percent of interest

6. Names, addresses, and the nature and percent of interest of each person or entity (not named in Item 5) who has a beneficial interest in any of the shareholders or investors named in Item 5 which gives such person or entity more than a computed 10% interest in the Applicant (for example, more than 20% of the stock in a corporation which holds 50% of the stock of the Applicant; or more than 50% of the stock in a corporation which holds 20% of the stock of the Applicant).

Name & Address

Title and nature and percent of interest

7. Names of officers and directors, or trustees of any corporation or firm listed under Item 5 or Item 6 above.

Name & Address

Title and nature and percent of interest

Certification

I (We), _____ Certify that this Statement for Public Disclosure is true and correct to the best of my (our) knowledge and belief.

Name

Name

Signature

Signature

Title

Title

Date

Date

(If the Applicant is an individual, this statement should be signed by such individual; if a partnership, it should be signed by one of the partners; if a corporation or other entity, it should be signed by one of its chief officers having knowledge of the facts required by this statement)

Affidavit of Non-Collusion

State of Indiana)
)
County of St. Joseph) SS:

The undersigned, being first fully sworn, deposes and says that:

1. He/she is: owner, partner, officer, representative, agent, of _____ (applicant);
2. He/she is fully informed respecting the preparation and contents of the attached offer and of all pertinent circumstances respecting such offer;
3. Such offer is genuine and not a collusive or sham offer;
4. Neither said Applicant nor any of its officers, partners, owner’s agents, representatives, employees, or parties in interest, including this affiant, has in any way colluded, conspired, connived, or agreed directly or indirectly, with any other Applicant, firm or person to submit a collusive or sham offer in connection with the Contract for which the attached offer has been submitted or to refrain from making an offer in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Applicant, firm or person to fix the price or prices in the attached offer, or of any other Applicant, or to fix any overhead, profit, or cost element of the offering price of any other Applicant, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the City of South Bend and/or its Department of Community Investment and/or the South Bend Redevelopment Commission person interested in the proposed Contact; and
5. The price or prices quoted in the attached offer are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Applicant or any of its agents, representatives, owners, employees or parties in interest, including this affiant.

Affiant

Signature

Title

Before me, the undersigned, a Notary Public, _____ subscribed and swore to this Affidavit of Non-Collusion on this _____ day of _____, _____.

(Seal) _____
Notary Public

A resident of _____, County, _____.



CITY OF SOUTH BEND

REDEVELOPMENT COMMISSION

Redevelopment Commission Agenda Item

DATE: 1/19/22
FROM: Joseph Molnar
SUBJECT: Request to Advertise

_____ Pres/V-Pres

ATTEST: _____ Secretary

Date: _____

APPROVED Not Approved

SOUTH BEND REDEVELOPMENT COMMISSION

Which TIF? (circle one) River West; River East; South Side; Douglas Road; West Washington

PURPOSE OF REQUEST: Request to Advertise
18 Chestnut – Vac Lot 50 X 120 / 18 VAC L34 6X20 Walnut

Specifics: Attached is the Notice of Intended Disposition of Property (Notice) for both 18 Chestnut – Vac Lot 50 X 120 / 18 VAC L34 6X20 Walnut. Both properties have been vacant for a number of years.

This Notice is planned to be advertised in the South Bend Tribune on February 3rd and 10th 2023.

Staff requests approval of this Notice and the Request to Advertise, for the eventual disposition of this property.

INTERNAL USE ONLY: Project Code: _____;
Total Amount new/change (inc/dec) in budget: _____; Break down:
Costs: Engineering Amt: _____; Other Prof Serv Amt _____;
Acquisition of Land/Bldg (circle one) Amt: _____; Street Const Amt _____;
Building Imp Amt _____; Sewers Amt _____; Other (specify) Amt: _____
_____. Going to BPW for Contracting? Y/N
Is this item ready to encumber now? ____ Existing PO# _____ Inc/Dec \$ _____

EXCELLENCE | ACCOUNTABILITY | INNOVATION | INCLUSION | EMPOWERMENT