Request for Proposal

Seeking a Private Developer for the Former Marion Public Library Site, 1095 6th Avenue, Marion, IA

This document constitutes a Request for Proposal, and is not a request for professional services, a request for a bid, or a construction contract. Acceptance of a proposal may result in a binding contract between the City of Marion and the proposer, contingent upon certain legislative acts of the City Council related to the sale of land and a Development Agreement.

Notice to proposers: Five signed original proposals and one copy on a flash drive will be received by Team Marion (made up of representatives of City of Marion, Marion Economic Development Corp, Marion Chamber of Commerce and Uptown Marion). Please address all proposal(s) to: Marion Economic Development, 1107 7th Avenue, Suite 201, Marion, Iowa 52302, on or before the date and time specified below. All proposals shall be enclosed in a sealed envelope and marked on the outside in bold letters:

Private Developer Proposal for the Former Marion Public Library Site

Faxed or emailed proposals will not be accepted.

Proposals Due: 3 p.m. on Jan. 12, 2024

As a member of Team Marion, Marion Economic Development Corporation serves the City of Marion's economic development needs and therefore has been designated to receive proposals as a partner in the process. Proposals will be reviewed together with Team Marion.

A non-mandatory pre-proposal meeting will be held at **3 p.m. on Nov. 14, 2023,** at Marion Economic Development (1107 7th Avenue, Ste 201). The meeting is being held to review the RFP, clarify the City's expectations, and answer questions from potential development partners. Attendance is not required.

Proposals may be made to the City regarding a proposed development that is more specifically described in *Section 1: Background Information and Project Goals*. The City retains the right to reject all proposals, to ask for clarification, to enter into negotiations to discuss cost, scope of work, procedures and the final work product.

Acceptance of a proposal does not constitute contract approval or approval for construction purposes. Normal administrative reviews, legislative procedures and actions will be required, including but not limited to property sale, negotiation of a development agreement, approval of financing, site plan review, design review, and building permit approvals.

Questions should be directed via e-mail to:

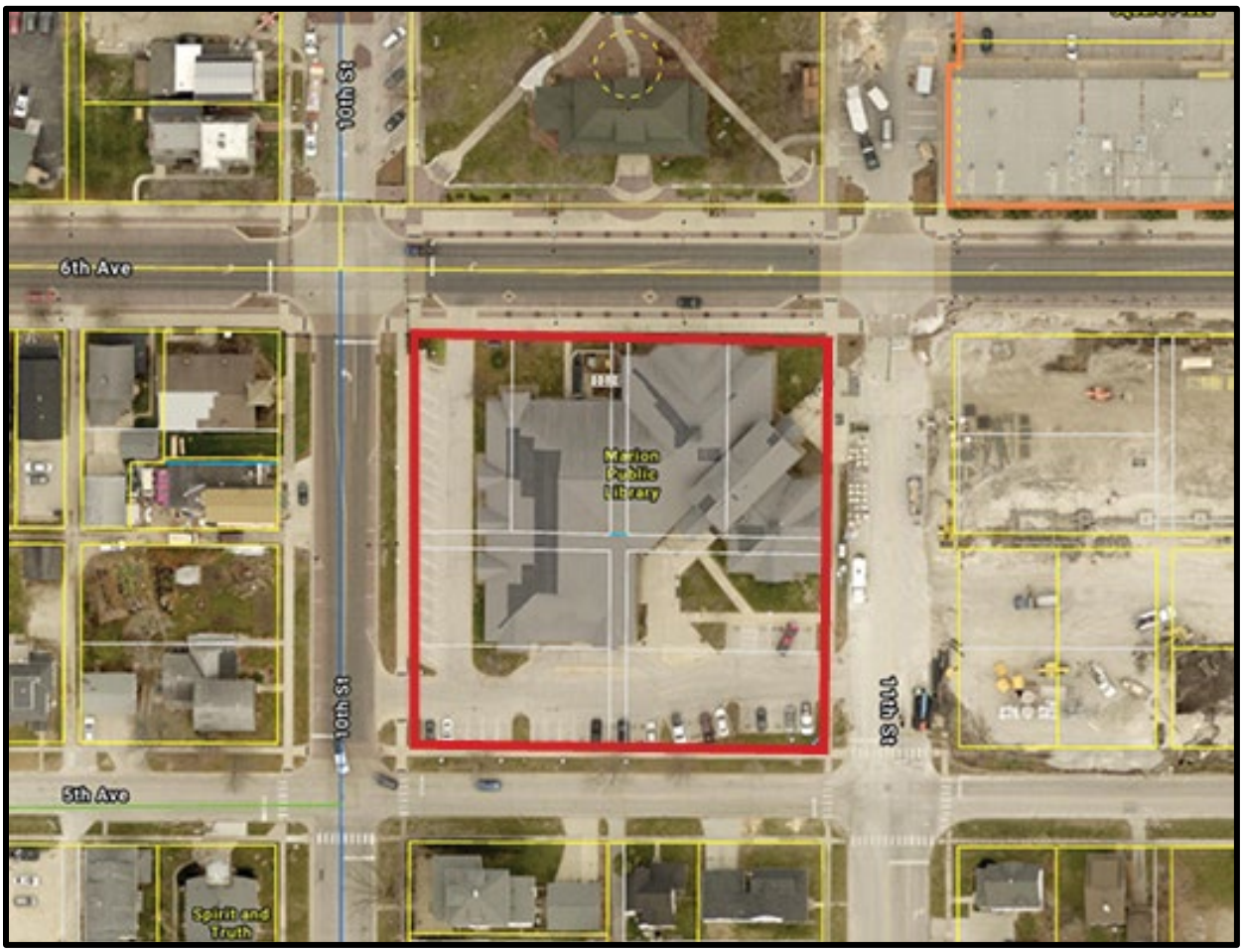
Mark Seckman, President
MEDCO
1107 7th Avenue, Ste 201
Marion, IA 52302
mark@medcoiowa.org

RFP Contents

Section 1: Background Information and Project Goals

This Request for Proposal (RFP) is issued by the City of Marion to identify private developers and development teams interested in redeveloping the "Former Marion Public Library Site" (1095 6th Avenue) as identified on the map below. The former Marion Public Library was constructed on this site in 1996.

The Former Marion Public Library Site is owned by the City of Marion, IA and located in the core of Uptown Marion, a Main Street Iowa District. Primary frontage is provided by the recently constructed 6th Avenue Corridor. The Grant Wood Trail passes along the north edge of the site, providing future connectivity to the regional trail network.



Parcel Number: 150625000300000

The City intends to enter into a development agreement which best meets the City's vision. Any proposed project should maximize the benefit to the City of Marion and clearly articulate how the land can best be leveraged as part of the total project and any contemplated transaction.

Team Marion envisions a privately-owned building or complex of buildings with a mix of commercial and residential offerings that are creative and make the biggest impact of this anchor parcel in Marion's Uptown Main Street District. The redevelopment will best represent the character of the Marion community and the history of the site. The project should also complement the historic nature of adjacent properties, while enclosing the retail loop of the historic Uptown District.

The purpose of this RFP is to solicit proposals from developers and development teams interested in developing this property.

Recently completed streetscape improvements now provide new outdoor gathering space for businesses and events.

About Marion

Marion is home to over 41,000 residents (41,535 according to the 2020 Census) with an average household income of $99,732 in 2023 that is projected to grow to $114,797 by 2025. The community is well known for its exceptional quality of life, vibrant city center, dynamic neighborhoods, and high-quality schools. In the heart of the city, you can find the historic charm of the 1800's where annual events take place in the original City Square Park, lined by historic commercial buildings.

What was once known as a bedroom community and antique shopping district, is now a thriving city center of its own. Today, Uptown Marion boasts unique restaurants, women's clothing boutiques, floral shops, coffee and chocolate shops, museums, live music venues, live theater and unique home goods. As Marion continues to grow, so does Uptown. Since becoming a Main Street Iowa designated district in 2013, the district has seen 32 building projects completed with local investment exceeding $37 million.

As Uptown Marion continues to thrive and grow, City leaders are investing in the future. A new public library opened in 2022. A streetscape project was recently completed and a new Central Plaza will be constructed in 2024 that will anchor six square blocks of the district into a pedestrian-friendly area primed for events and activities. More than $20 million of multi-family

housing is also under construction. Through this growth, Uptown maintains its historic charm vital to the identity of the district and cherished by its residents.

The Nancy A. Miller Marion Public Library opened in 1996 at 1095 6th Avenue (photo above). It served Marion's population for over 20 years before the August 2020 derecho permanently closed the building. The building was demolished in May 2023 (photo below).

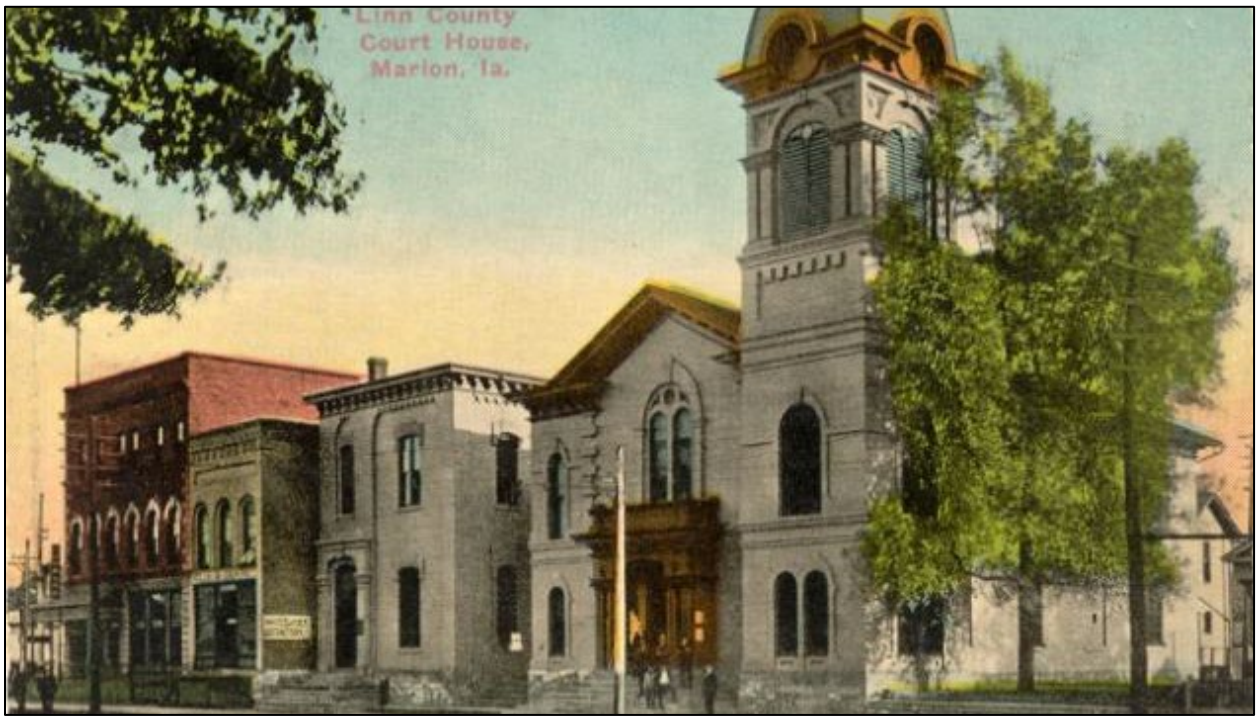
About the Project

The City of Marion is seeking a development team with the capacity to execute full redevelopment of a 1.44-acre parcel located in Uptown Marion. The site is located adjacent to City Square Park (to the north), the new Marion Public Library (to the east), adjacent to single family housing (to the south), and private commercial users (to the west).

The site represents a critical block supporting business growth, housing development, and quality of life initiatives, all complementing the intended function of Marion's City Square. In 2022, the City of Marion was awarded a $3 million Destination Iowa grant to be used for the construction of a Central Plaza and the final phase of the CeMar Trail, connecting Uptown Marion to Downtown Cedar Rapids. This project will serve as a dynamic, regional asset for attracting residents, tourists, and visitors to Marion and represents more than a decade of planning and public investment in Marion's Uptown District.

As part of the Central Plaza project, planning was also completed for the future South Plaza to be constructed on the north half of the existing 11th Street between 5th and 6th Avenues, immediately adjacent to the former library site. Additional details of the South Plaza can be reviewed in the Uptown Master Plan. A link to this plan document can be found in **Exhibit E**. Proposed

redevelopment concepts should consider how a proposal will interact with and enhance both the proposed South Plaza in addition to the Sixth Avenue corridor.



This photo from the 1870's shows the former Linn County Courthouse located on the proposed property that eventually became home to the Nancy A. Miller Public Library.

The site is zoned U-2 (Uptown District). A complete overview of the district, including associated design standards, can be found in Chapter 340-5.9 of the Marion Zoning Code. A direct link is provided on Exhibit E.

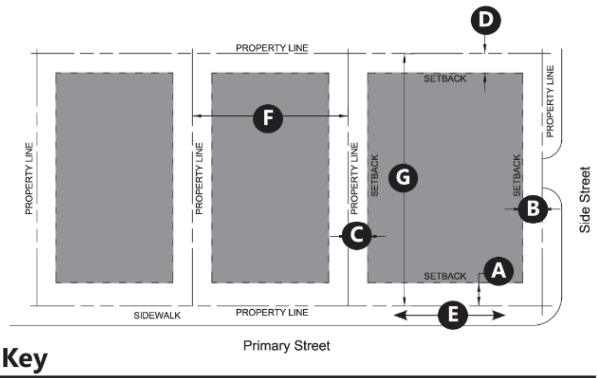
The U-2 zoning is intended to be a more intensive use district supporting full block buildout and higher densities. The district encourages residential, service, and retail uses to develop in a

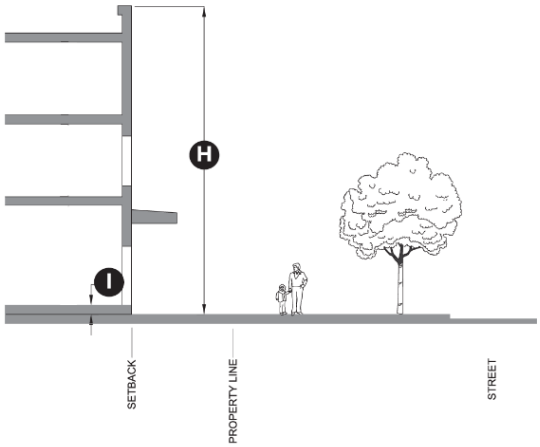
Marion Central Plaza Rending. Project scheduled to begin construction in Fall 2023.

mixed-use environment that supports Uptown living, shopping, and working. Like the U-1 District, quality materials, pedestrian circulation, and amenities are encouraged to provide community gathering spaces.

This rendering represents conceptual improvements for both the Central Plaza and future South Plaza, adjacent to the redevelopment site. Greater detail can be found in the Uptown Master Plan.

Uptown 2 (U-2) District Standards





Key

PROPERTY LINE

BUILDING ENVELOPE

SETBACK LINE

Building Placement

Setback (Distance from Property Line)

Front	12′ max.	A
Side Street, Corner Lot	12′ max.	B
Side	12′ max.	C
Rear		
Adjacent to Residence	15′ min.	D
Adjacent to any other use	10′ min.	D

Building Form

Primary Street - Percent of bldg. on SB line	80%	E
Lot Width	18′ min.	F
Lot Depth	120′ min.	G
Lot Coverage	90% max.	

Notes

N/A

Height

Building Minimum	2 stories	H
Building Maximum	4 stories	H
Ground Floor Finish Elevation	12″ max. above sidewalk	I

Notes

All floors must have a primary ground-floor entrance that faces primary or side street.

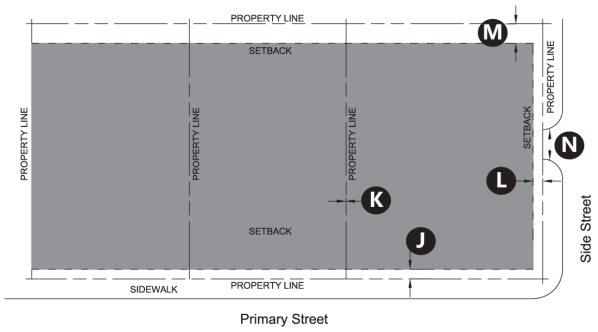
Rear-facing buildings, loading docks, overhead doors, and other service entries are prohibited on street-facing facades.

Any building over 75′ wide must be broken down to read as a series of buildings no wider than 75′ each.

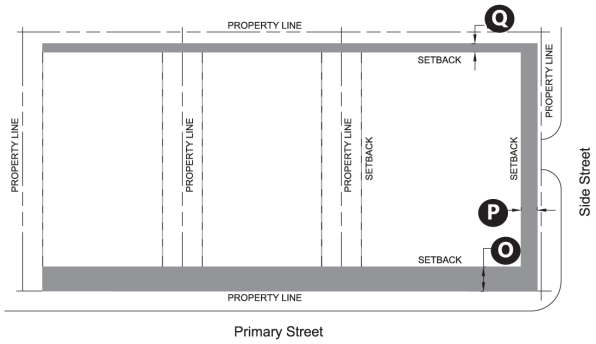
Mansard roof forms are not allowed.

Buildings greater than 16 units must provide adequate common space for residents in the form of community rooms, roof terraces or courtyards.

Uptown 2 (U-2) District Standards (cont'd)



Parking lot screening per Sec. 176.29-2.H.(7)



Key

PROPERTY LINE

PARKING AREA

Key

PROPERTY LINE

ENCROACHMENT AREA

SETBACK LINE

Parking

Location (Distance from Property Line)

Front Setback*	5′	J
Side Setback	0′	K
Side Street Setback*	5′	L
Rear Setback	10′	M

* Setback may be waived when a screening element is provided in the form of a solid wall, or densely planted compact hedge. Such screening shall be not less than four (4) feet in height and shall be adequately maintained. The design of the screening element is subject to approval by the Community Development Director.

Required Parking Spaces

Off-street parking is not required.

Notes

Parking not allowed between building and curb. N

On corner lots, primary parking drive shall not be located on primary street.

Connectivity is encouraged between adjacent lots.

Parking may be provided off-street within 300′ in parking lots.

Setback Encroachments

Location

Front	8′ max.	O
Side Street	8′ max.	P
Rear	5′ max.	Q

Notes

Storefronts, stoops, and bay windows may encroach into the setback area.

Canopies, awnings, and balconies may encroach into the setback and/or into the right-of-way on the street sides. Encroachments shall not be within two (2′) feet of the back-of-curb (BOC) line. An encroachment agreement is required prior to encroaching into the right-of-way.

Frontage Types

Terrace		
	Depth	8′ min.
Forecourts		
	Depth	20′ min., not to exceed width
	Width	20′ min., 50% of lot width max.
Stoops		
	Depth	4′ min., 6′ max.
Storefront		
	Depth	0′ min., 6′ max.

Notes

Landscape buffer is required between U-2 and adjacent residential, consistent with Section 340-8.4.

The City of Marion is also preparing to complete a comprehensive parking study that will inform short- and long-term recommendations to support the parking needs in the Uptown District. This planning document is anticipated to be completed in early 2024. Any developer responding to this RFP should consider unique ways to address parking for both private and public use. The subject property currently provides 47 parking spaces for public use.

Goals & Objective of Redevelopment

1. Achieve high quality architectural and site design that complements the historic nature of the district.
2. A continued mix of higher density land uses to foster a more vibrant, walkable district.
3. Urban building(s) consistent with the stated goals of the Uptown Master Plan which emphasize urban, walkable neighborhoods, and high quality architectural and site design.
4. A variety of 1st floor commercial users to complete the retail loop around City Square Park.
5. Fully activated first floor that attracts customers and users throughout the entire day.
6. Diverse residential options with consideration of owner-occupied housing.
7. Pedestrian-oriented and street-oriented development to continue and complement the character of Uptown Marion.
8. Complement and interact with the future South Plaza.
9. Support appropriate transition to adjacent residential neighborhoods.
10. Promote high quality urban in-fill.
11. Roof top activation should be given extra consideration.
12. Expand the local property tax base.
13. Create high quality employment.
14. Encourage destination development that supports the community's tourism efforts.
15. Provide opportunities for living, working, and recreation in the city's core.
16. Enhance visitor and bicyclist experience along an important transportation and trail corridor.
17. Incorporate EV charging infrastructure that supports both public and private users.
18. Unique solutions to leverage public and private parking assets.
19. Projects that connect with existing or newly contributing market data.

Section 2: Intent, Potential Public Assistance and Development Agreement

The City of Marion's goal is to facilitate a purchase/sale transaction and enter into a Development Agreement with a team committed to constructing the best project that supports the community's brand promise to Reach Higher. Team Marion is seeking development proposals for a project that maximizes private investment and leverages non-City sources to the greatest degree possible.

Incentives or financial assistance potentially available from the City are not intended to replace financing from other private and public resources. Incentives are intended to be flexible resources that bridge funding gaps created by current market conditions or the challenging nature of infill developments projects. An appraisal was conducted in 2022 and the land was valued at $1,470,000. The value of the land may be considered by Team Marion as an incentive for a qualified project.

If financial assistance is requested, the City will work with the selected developer to analyze details of the proposed project's financial pro forma and other factors. Any financial assistance will be based on the project meeting the City's goals for the property and the nature and extent of the financing gap identified between project costs and the available private resources.

Development teams should make a reasonable estimate of the need for financial assistance based on project costs, a preliminary pro forma, and estimated debt and equity sources. It should be noted that for any request involving Tax Increment Financing (TIF), a rebate structure is strongly preferred to upfront funding. Ultimately, any TIF incentives will need to be approved by the Marion City Council following the required legislative process.

The sale of the project site to the developer may be negotiated on terms that align with the project's gap financing needs (and in accordance with state and local law).

The City will designate a lead staff contact for the project to facilitate and expedite communications and necessary approvals across City departments, including planning and zoning, public safety, permits and plan reviews, etc. Within the Uptown Marion Main Street District, this project will also be vetted by the Uptown Design Committee for its complementary nature to the historic district.

The City will support additional community outreach and public meetings as determined to be necessary.

Development Agreement

The City of Marion may ultimately enter into a Development Agreement with the selected development team. The Development Agreement will include terms for the conveyance of the property; security requirements to ensure project completion; financial terms associated with property conveyance and project construction; terms regarding the condition of the property prior to conveyance; project timeline; and any additional terms as may be necessary to ensure compliance with the project goals stated herein.

Section 3: Submittal Requirements

All proposals must comply with the following requirements and must be numbered accordingly:

1. The Proposal Submittal Signature form (copy attached as Exhibit "A").

2. A signed letter on the proposer's letterhead indicating an interest in the project.

3. Primary contact person and contact information.

4. The legal name and address of the development entity, including all joint ventures, limited partnerships, and limited liability companies, and the percentage of interest of each. Proposers are encouraged to include the size of their firm, parent company if applicable, and officers/principals of the firm.

5. A description of any and all litigation involving the principals, development entities, or members of the development team during the past five years (Exhibit "B", Listing of Lawsuits or Litigation within the Past Five Years). A statement relative to whether any of the principals, development entities, or members of the development team have ever been charged with or convicted of a felony.

6. Identification of the legal entity with whom the City would contract, whether the entity exists currently or would be created for the purposes of this project, and the names and titles of all parties authorized to act on behalf of the proposer.

7. Information showing all members of the proposed development team including but not limited to the developer, management agency, legal, design professionals, and consultants. Contact information should be provided for each team member.

8. A description of the proposer's previous experience, including a brief description of at least two mixed-use projects where the proposer played a substantial role. The description should include the specific role of the proposer and the status of the projects. Sufficient

reference contact information should be provided for each project to permit the City to verify the information.

9. A description of the proposer's financial capacity to obtain acquisition, construction, and permanent financing, including letters of interest from lenders and/or tax credit investors. A discussion of the financing sources and partnerships utilized for prior projects and references from those parties are also welcomed and encouraged.

10. A narrative describing the proposer's plan for construction and financing of the project, to include:

    a. Organization and management approach to the project.
    b. General schedule for the completion of the project following property acquisition.
    c. Description of a general plan for construction loan and permanent financing, copies of any letters of intent from prospective purchasers and/or tenants.
    d. Description of the marketing approach to secure purchasers/tenants.
    e. Proposed purchase price for the project property.

11. If public financial participation is contemplated/requested, a narrative with information including:

    a. Preliminary project building costs, preliminary pro forma, and sources and uses of funds illustrating anticipated and/or potential financing sources.
    b. Proposed amount and description of gap financing assistance for the project.
    c. How land credit might be utilized to off-set traditional public assistance.
    d. Description of how the project addresses and corresponds to market demands and conditions. A market study may be required as a condition of financial assistance.

12. A visual description of the proposed project, including (if available);
    a. Conceptual drawing or schematic.
    b. Conceptual square footage of commercial and/or office space.
    c. Conceptual square footage and size of residential units.
    d. Conceptual layout of commercial and residential floors and parking.
    e. Conceptual visualization of the pedestrian-level façade.

13. A description of any energy efficiency components of any building(s) and a description of sustainability features proposed to be included.

14. References from financial institutions, city governments, and community organizations that will permit the City to verify the capabilities of the proposer.

15. The identity of any unique resources, capabilities, or assets which the proposer would bring to the project.

16. The entire proposal may be no longer than 40 pages.

Section 4: Reservation and Disclosures

Reservation

Issuance of this RFP does not commit the City of Marion to enter into a Development Agreement, pay any costs incurred in preparation of a response to this request, or to procure or contract any services or supplies. The City reserves the right to reject any and all proposals and to make recommendations for changes in any proposal submitted, to waive informalities or irregularities, and may, in the process of this recommendation, allow the developer to make such recommended changes in its proposal. The City reserves the right to require additional information from the developer, financial or otherwise, to hold meetings with any developer to review the offer and development proposal, and to waive any of the requirements set forth herein.

The City may, at the conclusion of its review, recommend that the City Council, in conjunction with the appropriate legislative process, commence negotiations with the intention of entering into a Development Agreement with the selected developer.

As an equal opportunity/affirmative action employer, the City prohibits discrimination on the basis of race, creed, color, sex, age, religion, sexual orientation, gender identification, marital status, disability, or national origin. Minority and women's business enterprises will be afforded full consideration and are encouraged to respond.

Disclosure of Proposed Content

After the deadline for submissions of proposals, the contents of the proposals will be placed in the public domain and open for inspection by the public. Trade secrets or proprietary information that are recognized as such and are protected by law may be clearly withheld if identified as such in the proposal.

Disposition of Proposals

All proposals become the property of the City and will not be returned to the proposer.

Independent Contractor

The selected developer will act as a separate legal entity and will not be in joint venture, employment or otherwise affiliated with the City. The developer is responsible for all insurance, salaries, contracts, withholding taxes, social security, unemployment, worker's compensation and other taxes and other liabilities it incurs in connection with the project, and shall hold the City harmless from any and all claims for the same.

The City shall have the right to verify the accuracy of all information submitted and to make such investigation as it deems necessary or appropriate to determine the ability of a prospective developer to carry out the project. The City reserves the right to reject any response where the evidence or information does not satisfy the City that the prospective developer is qualified to carry out the project, is a person or firm of good reputation or character, or if the developer refuses to cooperate with and assist the city in the making of such investigation.

Section 5: Proposal Criteria and Scoring

Proposals will be reviewed and scored by a committee consisting of City staff and economic development partners. This committee may invite proposers to make oral presentations of their proposals. This committee will make a recommendation to the City Council on a preferred developer **or** may make a recommendation for a list of finalists to be considered by the full City Council following public presentations of finalist proposals. If there is a clear preferred developer the review committee may make a recommendation without public presentations, but the proposers should be prepared for a public presentation of their proposal.

Proposals will be scored and reviewed according to the following criteria:

1. **Compliance with submittal requirements** – ***25 points possible.***

2. **Developer experience and capabilities** - ***20 points possible.***

    a. Quality of proposal
    b. Composition and experience of development team, particularly experience with mixed-use projects
    c. Organization and management approach to the project
    d. References, including references within the construction industry
    e. Implementation ability, demonstrated ability of the developer to implement complex development projects

3. **Market and economic viability of the project** - ***25 points possible.***

    a. Evidence of the financial strength of the developer

b. Estimate of developer equity investment in the project
c. Marketing approach
d. Evidence of interest from financial institutions and investors
e. Letters from prospective purchasers and/or tenants for commercial space
f. Reliability of the proposed financial plan
g. Preliminary evaluation of need for any requested gap financing; level of request for gap financing; type of gap financing (upfront vs. rebate)

4. **Long term fiscal benefit to the City** - ***25 possible points.***

    a. Projected property tax revenues.
    b. The price offered for the City property and any terms.
    c. Any required City services and/or ongoing public funding beyond the construction costs.
    d. New jobs created.
    e. Ability of the project to generate other revenue for the City.
    f. Assessment of any impact of the project on nearby properties.

5. **How the project furthers the City of Marion's economic development, Uptown development, and tourism goals** - *30 points possible.*

    a. Ability of the project to complement tourism and recreational activities.
    b. Ability of project to create employment opportunities.
    c. Included residential provides housing opportunities for a variety of income levels with appropriate amenities.
    d. Sensitivity to/or complementary to adjacent/potentially historic architecture *or* plans to include them as a part of the overall development.
    e. Project meets or exceeds design standards as outlined in the zoning code.
    f. Incorporation of unique design characteristics utilizing high quality material and exterior elevations with varying rooflines to break up the full block.

Section 6: Non-Assignment of Interest

No developer shall assign or transfer to any other person or corporation, any interest in its proposal prior to execution of a Development Agreement without the express written authorization of the City. After execution of a Development Agreement and until the proposed Development has been completed, no interest in the contract may be assigned or transferred without the written consent of the City, except as set out in the Development Agreement.

Exhibit A:
Proposal Submittal Signature Form

The undersigned attests to his/her authority to submit this proposal and to bind the firm herein named to perform if the firm is selected by the City of Marion. The undersigned further certifies that he/she has read the Request for Proposal, terms and conditions, and any other documentation relating to this request; has complied in all respects with all conditions hereof, and this proposal is submitted with full knowledge and understanding of the requirements and time constraints noted herein.

The undersigned hereby further acknowledges that it accepts the terms of the Request for Proposals in its entirety and by the submission of its proposal hereby waives any claims or claims to irregularities that arise out of such RFP, the process employed by the City to solicit and develop proposals, or the RFP evaluation process described in the RFP, and agrees to release and hold harmless the City, its employees, agents, and consultants from any claim, loss, or damage arising therefrom.

The undersigned hereby authorizes any person, firm, or corporation to furnish any credit history and financial condition, or other information required by the City to verify information related to the firm's submission to the City. I hereby certify on behalf of the undersigned firm that the above information is true and correct to the best of my knowledge and that the City may rely on the information provided.

Firm Name: _____

Home Office Address: _____

City, State, Zip: _____

Name and Title of Representative

Name: _____

Signature: _____

Date: _____

Exhibit B:
Listing of Lawsuits or Litigation Within the Past Five Years

Lawsuit or Litigation

Status or Outcome

Comments

Exhibit C:
Important Resources for Review

Uptown Master Plan

Marion Central Plaza Plan

City of Marion Housing Needs Analysis – September 2022

City of Marion Zoning Map

Central Corridor Zoning Districts & Design Standards – Chapter 340-5.9

City of Marion Comprehensive Plan

City of Marion Population Estimates

Marion Business Investment Guide