

**City of Council Bluffs, Iowa
Request for Proposals
Playland Park (River's Edge) Neighborhood Development
Proposal Due Date: October 4, 2022**

The City of Council Bluffs through its Community Development Department is accepting proposals for the purchase and development of six parcels, approximately 4.91 acres of real estate, within the Playland Park (River's Edge) Neighborhood. River's Edge is a premier mixed-use redevelopment project located in the west end of Council Bluffs, Iowa. The project site is strategically located along the north side of Interstate 480, between the Missouri River and Interstate 29, and immediately across the Missouri River from Downtown Omaha, Nebraska. Over the past six years, River's Edge has experienced a tremendous amount of new growth in the form of a new office building, parking garage, multi-family apartments, mixed-use commercial/residential structures, and townhomes. The City is now seeking proposals from interested and qualified developers to build a mixture of condominiums, multi-family apartments, mixed commercial/residential structures, and/or townhomes on six of the seven remaining parcels of land within River's Edge.

The following properties are the subject of this Request for Proposals (RFP):

- Parcel A: Block 1, River's Edge Subdivision (1.72 acres)
- Parcel B: Lot 2, Block 3, River's Edge Subdivision, Replat 2 (.81 acres)
- Parcel C: Block 4, River's Edge Subdivision (.86 acres)
- Parcel D: *This parcel contains three separate legally platted lots of record that are generally contiguous to one another. The City is packaging all three lots together as one development site due to their size, shape, and location within the River's Edge Neighborhood (1.52 acres).*
 - a. Lot 1, Block 5, River's Edge Subdivision, Replat 2 (.75 acres)
 - b. Lot 3, Block 5, River's Edge Subdivision, Replat 2 (.35 acres)
 - c. Lot 2, Block 5, River's Edge Subdivision, Replat 2 (.42 acres)

Interested developers may submit a development proposal for one or more of the subject parcels stated in this RFP. A map depicting the location of each subject property within River's Edge is included with this RFP as Attachment 'A'.

Site Description

River's Edge is a 26-acre master-planned, mixed-use redevelopment project located along the Missouri River in the west end of Council Bluffs, Iowa. It's within close proximity of Downtown Omaha, Nebraska, as well as, Tom Hanafan River's Edge Park and the Bob Kerrey Pedestrian Bridge. Other recreational amenities that are planned to be constructed within, or immediately adjacent to, to this neighborhood includes:

- Belle's Play Garden (2022)
- Tree Top Walk (2023)
- Observation Tower (2023)
- Climbing and Adventure Course (2023)
- Waterfront Pier (2024)

The neighborhood is also designed to incorporate current best urban planning practices such as: mixture of land uses and housing typologies; buildings constructed with minimal setback distances

from the adjacent public realm, pedestrian mobility and walkability via sidewalks, raised bike lanes, and sidewalk separations from the on-street parking and roadways; landscaped street rights-of-way, public gathering/meeting spaces, and high quality building architecture and designs. A map illustrating existing development within the neighborhood is included with this RFP as Attachment 'B'.

The primary vehicular access point into the River's Edge is currently N. 41st Street; however, this will change to N. 40th Street once the Iowa Department of Transportation completes construction of Segment 4 of the Council Bluffs Interstate System Program in 2023-2024. A complete overview of the Council Bluffs Interstate System Program can be viewed online by visiting the following website: <http://councilbluffsinterstate.iowadot.gov/>. Avenue B serves as a secondary vehicular access point.

All properties within River's Edge have access, or are planned to have access, to full utilities such as sanitary sewer, storm sewer, water, electricity, natural gas, and telecommunications. Individual service lines may need to be extended to accommodate projects on the subject properties. 5G internet/telecommunication technology is also available within the neighborhood.

All of the properties included in this RFP are zoned R-4/High Density Multi-Family Residential District with an adopted PR/Planned Residential Overlay/development plan assigned to them. Per Section 15.11 of the Council Bluffs Municipal Code (Zoning Ordinance), the R-4 District is intended *"to provide for development of high density multi-family housing. This district allows for a mixture of compatible uses with high density urban neighborhoods. This district is most appropriate in central areas of the community or in areas which have full services"*. A copy of the complete R-4 District zoning regulations is included with this RFP as Attachments 'C' and 'D'.

River's Edge is subject to an adopted master development plan that was last amended and approved by the Council Bluffs City Council in 2014 (see Attachment E). This development plan functions as the primary regulatory document relative to: building setbacks and heights, architectural designs, block designs and mix of land uses, public art, on and off-street parking, street connectivity and design, pedestrians and cyclists, and other special design requirements within the neighborhood. All subject properties in this RFP have a preferred land use and building typology identified in the adopted master development plan, as follows:

- **Parcel A:** This property contains 1.72 acres of land and is situated at the base of the Bob Kerry Pedestrian Bridge/River's Edge Pavilion with picturesque views of the Downtown Omaha skyline. The master development plan identified this property as an ideal location for a mid-rise condominium tower on top of a pedestal building that contains structured parking. The condominium tower and associated pedestal building must have a minimum combined height of 10-12 stories, and a total minimum assessed value of \$34 million.
- **Parcel B:** This property contains .81 acres of land and is situated south of Avenue B, west of N. 40th Street, and north of River's Edge Parkway. The westerly half of the property was recently developed with off-street parking spaces that will be shared with the property located at 4040 Rivers Edge Parkway. The master development plan identified this property as an ideal location for a mixed residential/commercial structure that ranges between 3-4 stories in height. The total minimum assessed value for a mixed commercial/residential structure on this property is negotiable.
- **Parcel C:** This property contains .86 acres of land and is situated south of Avenue B, east of N. 40th Street, and north of River's Edge Parkway. This property is located immediately east of the aforementioned Parcel 'B' and is identified as an ideal location for a mixed

residential/commercial structure that ranges between 3-4 stories in height. The total minimum assessed value for a mixed commercial/residential structure on this property is negotiable.

- **Parcel D:** This parcel contains three separately platted lots of record that are being marketed together due to the uniqueness of their size, shape, and location within the Playland Park (River's Edge) Neighborhood. The City anticipates these lots may be need to be replatted into one or two parcels in order to assist with development efforts. The total combined land area for Parcel D is 1.52 acres and its located west of N. 40th Street, south of River's Edge Parkway, and east of N. 41st Street. The parcel is an ideal location for new a multi-family apartment building(s), and/or a mixed commercial/residential building with ~~and~~ associated off-street parking. The total minimum assessed value for a multi-family apartment and commercial/retail buildings on these properties is negotiable.

River's Edge is also subject to a set of private covenants which contains specific standards for items including, but not limited to, the following: signage, landscaping, building architecture, site development (i.e. maximum building heights, parking, trash enclosures, exterior lighting, etc.), cross access easements, utilities, etc. The covenants also establish and provide clarity on the duties and powers of the River's Edge Master Property Owners Association and the River's Edge Architectural Control Committee. A copy of the covenants are included with this RFP as Attachment 'F'. The City encourages all interested developers to review these covenants in advance of designing and submitting their proposals for consideration. Furthermore, any requested amendments to these covenants must be clearly stated in the submitted proposal for the City and the Architectural Control Committee to review.

All subject properties included in this RFP are located in flood zone X (protected by levee).

Value of the Property

In December 2021, the City of Council Bluffs hired the firm Mitchell & Associates, Inc., to complete an updated appraisal of the subject properties. The most recent market value for each property is stated below:

- Parcel A: Block 1, River's Edge Subdivision (\$190,000.00)
- Parcel B: Lot 2, Block 3, River's Edge Subdivision, Replat 2 (\$88,000.00)
- Parcel C: Block 4, River's Edge Subdivision (\$94,000.00)
- Parcel D: Total combined market value (\$166,000.00)
 - a. Lot 1, Block 5, River's Edge Subdivision, Replat 2 (\$82,000.00)
 - b. Lot 3, Block 5, River's Edge Subdivision, Replat 2 (\$38,000.00)
 - c. Lot 2, Block 5, River's Edge Subdivision, Replat 2 (\$46,000.00)

The City intends to sell each property for at least fair market value. A copy of the appraisal report completed January 1, 2022 can be made available upon request.

Inquiries, Questions and Deadlines

All inquiries/questions regarding this RFP must be directed via the electronic submission system at <https://cbiabids.ionwave.net/>. Any changes or additions to the RFP information will be sent to via Ion Wave. Any other contact in reference to this RFP prior to the time of an award decision will not be addressed.

RFP Issued: August 23, 2022

Q&A Ends: September 12, 2022 at 3:00 pm (CST)

Answers Posted: September 16, 2022 by 3:00 pm (CST)

RFP Due: October 4, 2022 by 5:00 p.m. (CST)

Proposals submitted by mail, facsimile transmission (fax) or electronic mail (email) will not be accepted. Proposals received after the submission deadline will not be accepted.

Proposal and Submittal Requirements

In a clear and concise manner, developers must submit proposals that demonstrate the developer's capacity to satisfy the requirements of this RFP. Proposals do not need to be elaborate or costly, but should be prepared in a professional manner. The following information to be submitted for consideration:

1. Application – must be completed and attached as proposal cover page (see Attachment G).
2. Project Summary – A brief written description of the project.
3. Project Plans – A scaled plot plan of the proposed development. The plot plan should illustrate the location of structures, parking areas, ingress and egress, open or landscape areas, etc. The developer must also submit additional information such as elevation drawings, photos of similar projects, typical floor plans, etc.
4. Developer Experience – Provide a listing of previous projects completed, especially with regard to projects that are relevant to the proposed development.
5. Project Timeline – A timeline for the project design, bidding, construction and occupancy.
6. Financial Summary – Developer must provide a proposed cost and source of funding for the project, including a minimum 10-year project proforma. Developer must also outline expected funding sources and projected date all financing will be secured.
7. Project Contingencies – Indicate any special assistance needed to implement the project, such as financial assistance, state or federal applications, or other public participation.

Proposal Evaluation

The project proposals will be reviewed based on the following evaluation criteria:

1. Design, Aesthetics and Quality of Construction Materials and Landscaping (40%): River's Edge is a master planned, mixed-use development. The City has an adopted master plan that functions as the primary regulatory document relative to: building setbacks and heights, architectural designs, block designs and mix of land uses, public art, on and off-street parking, street connectivity and design, pedestrians and cyclists, and other special design requirements within the neighborhood. All buildings and their associated architectural appearance/site layouts shall be designed in manner that is deemed compatible with this master development plan and existing development within the neighborhood. A list of materials and visual renderings of the site layout, units and exterior design must be provided as a part of this submittal.

2. Developer's Experience and Capacity (25%): The makeup/description of the developer's project team. The preferred developer will have significant experience in the construction of urban-style, mixed-use commercial and residential development. The names of individuals involved and the roles they will perform must be listed. Provide a description of the qualifications and experience of the specific individuals who will be involved in the work described in this RFP, including staff and other professionals.
3. Number of Units Proposed and Unit Sizes, Building Square Footage, and Minimum Assessed Value (20%): Preference will be given to developers who maximize the number of units, building square footage, and minimum assessed values on each of the identified properties. Proposals will also be scored on the length of time it will take to construct and occupy the project.
4. Funding Sources (15%): Preference will be given to Developers not utilizing either 4% or 9% Low Income Housing Tax Credits (LIHTC). No income restrictions are applicable to the property. Preference will be given to developers who propose projects with 80% or more market rate housing. Provide a list of proposed funding sources and when the funds are expected to be awarded/confirmed.

The above information will be used to select qualified developers. Upon developer selection, development agreements will be negotiated and executed.

Potential Development Incentives Available

- The property may be eligible for Tax Increment Financing and/or property tax exemption and these items will be negotiated by the city on a project specific basis.
- Possible energy incentives may be obtained from MidAmerican Energy and Black Hills Energy depending on project design. Consultation should be initiated with each company prior to final design.
- Possible land contribution or reduced purchase price.

General Provisions

- 1) Submittal Ownership/Costs: Upon submission, all information becomes the property of the City of Council Bluffs. The City has the right to use any or all ideas presented in any submission in the response to this RFP, whether or not the submittal results in a contract with the submitting Developer. All costs for development of the written submittal and any oral presentation are entirely the obligation of the Developer and shall not be reimbursed.
- 2) Non-Warranty of Request for Qualifications: The City shall not be responsible for any error or omission in this RFP, nor for the failure on the part of the Developers to ensure that they have all the information necessary to affect their submittals.
- 3) Request for Clarification: The City reserves the right to request clarification of information submitted and to request additional information of one or more Developers, either orally or in writing.

- 4) Acceptance/Rejection of Submittals: The City reserves the right to accept or reject any or all submittals in whole or in part, with or without cause, to waive technicalities, or to accept submittals or portions thereof, which, in the City's judgment, best serve the interest of the City of Council Bluffs.

The City reserves the right to allow alterations, modifications or revisions to individual elements of the Scope of Services any time during the period of contract, which results from this RFP.

- 5) Indemnification: The selected Developer shall: (1) faithfully perform said Contract on City's part and satisfy all claims and demands incurred for the same; (2) fully indemnify and save harmless the City from all costs and damages which said City may suffer by reason of failure to do so; and (3) fully reimburse and repay said City all outlay and expenses which said City may incur in making good any default.

The selected Developer shall protect, defend, indemnify and save harmless the City, its agents, boards and employees, collectively referred to as "Indemnitees", from and against costs and suits, actions, claims, losses, liability or damage of any character, and from and against costs and expenses, including in part attorney fees, incidental to the defense of such suits, actions, claims, sickness, including death, to any person, or damage to property, including in part the loss of use resulting there from, arising from any act or omission of the Developer, or his employees, servants, agents, subcontractors or suppliers, or anyone else under the Developer's direction and control, and arising out of, occurring in failure of performance of any work or services called for by the Contract, or from conditions created by the performance or non-performance of said work or services. The Developer's indemnification hereunder shall apply without regard to whether acts or omissions of one or more of the Indemnitees would otherwise have made them jointly or derivatively negligent or liable for such damage or injury, expecting only that the Developer shall not be obligated to so protect, defend, indemnify and save harmless if such damage or injury is due to the sole negligence of one or more of the Indemnitees.

- 6) Insurance: The selected Developer shall carry and maintain during the life of the contract insurance as deemed appropriate by the City of Council Bluffs. Specific amounts and types of insurance will be detailed in the negotiated development agreement.
- 7) Collusion: The Developer, by submitting a Proposal, declares that the submission is made without any previous understanding, agreement or connections with any persons, Developers or corporations making a competing submission on the same project, and that it is in all respects, fair and in good faith without any outside control, collusion or fraud.
- 8) Consideration of Submittals: Proposals will be considered from Developers normally engaged in providing and performing services as specified in this RFP. The Developer must have adequate organization, facilities, equipment and personnel to ensure prompt and efficient service to the City. The City reserves the right to inspect the facilities and organization or to take any other action necessary to determine the ability to perform in accordance with specifications, terms and conditions before recommending any award.
- 9) Discrimination Clause: According to the City of Council Bluffs Municipal Code 1.40, discrimination of race, color, religion, creed, sex, sexual orientation, gender identity, national

origin, age or mental or physical disability is prohibited in any form. This extends to any and all partner agencies and contractual obligations.