

REQUEST FOR PROPOSALS FOR LEASE OF CITY OF JASPER  
HEIDORN PROPERTY  
RESPONSE CONTENT AND FORMAT GUIDELINES

Introduction

The City of Jasper Utility Service Board (“City”) seeks proposals from qualified providers interested in implementing a plan for the utilization of a recently purchased property containing approximately 1.3 acres (“Heidorn Property”) to provide ancillary or support services to the Jasper Clean Energy Project (“Proposal”). Jasper Clean Energy LLC previously entered into a lease for an existing coal fired power plant and surrounding property owned by the City of Jasper for redevelopment as a clean energy project (“Project”), which is expected to have a significant long-term economic impact on the City of Jasper and Dubois County. The City has attached a specific legal description and a site map of the Heidorn Property available for lease.

The City intends to select and, after all Indiana law requirements are met, enter into a lease agreement with the most highly qualified provider(s) per the evaluation criteria herein.

Respondents shall submit ten copies of response. Respondents shall be evaluated only on the criteria set forth in this Request for Proposals (RFP).

The City may cancel this RFP, or reject in whole or in part any and all responses at any time during the submittal, selection, and/or negotiation phase of the RFP process if the City determines that cancellation or rejection is in its best interest.

The City of Jasper adopted a Policy on Nepotism and Contracting with Relatives which became effective July 1, 2012. Those submitting a response to this Request for Proposal will be required to make such disclosures as may be necessary for the City of Jasper to successfully implement that policy and otherwise comply with the Indiana Code pertaining to Nepotism Policy requirements.

Questions and Inquiries: All prospective Respondents are invited to view the Heidorn Property during prearranged meetings. Additional questions shall be directed to Bud Hauersperger at 812-482-9131 or via email at [hauersperger@ci.jasper.in.us](mailto:hauersperger@ci.jasper.in.us).

Final Submittal Date: Proposals shall be delivered to the City of Jasper ATTN: Utility Service Board, 610 Main Street, P.O. Box 750, Jasper, IN 47547-0750 no later than **October 12, 2012, at 4:00 p.m. EST.**

## Section I – General Information

### General

- The Heidorn Property is located at 1480 Knust Street, Jasper, Indiana, and currently contains a structure that historically has been used as a private residence.
- The Heidorn Property is currently zoned as I-2 –Industrial (Heavy) District.
- The City purchased the Heidorn Property on April 24, 2012, and took possession of the Heidorn Property on July 23, 2012.
- City entered into a Lease with Jasper Clean Energy LLC dated December 29, 2011 (“**Power Plant Project**”).
- A copy of the Lease between City and Jasper Clean Energy can be found at City’s website, <http://www.jasperindiana.gov/images/contentimages/6iob76eqn.pdf>.
- City is interested in leasing the Heidorn Property to a party who will utilize the Heidorn Property to provide ancillary support services to the Power Plant Project.

### Ineligible Persons

The property will not be leased to a person who is ineligible under I.C. 36-1-11-16. If a proposal is submitted by a trust (as defined in I.C. 30-4-1-1(a), the proposal must identify each beneficiary of the trust and each settler empowered to revoke or modify the trust.

### Objectives/Preferences

The City intends that the Respondents include a comprehensive proposal on the utilization of the Heidorn Property through a lease arrangement with the City of Jasper.

Preference will be given to those Proposals which:

- (1) support the Power Plant Project by providing direct or indirect ancillary services and uses the Heidorn Property in a manner which is complimentary to the Power Plant Project;
- (2) provide lease income and other economic benefits to the City of Jasper;
- (3) provide local economic development opportunities;
- (4) address the environmental impact of the Proposal on the Citizens of Jasper and Dubois County; and
- (5) provide overall financial viability to implement Proposal.

### Financing

Financing options may include, but shall not be limited to, funding from government grants, joint ventures with other entities, private equity or a combination of funding options. The City’s goal is to structure financing options so that there is no added risk to the City and no requirement for the City to invest additional capital into the Heidorn Property or related infrastructure. The City’s property may not be pledged as collateral for any financing required by Respondent.

## Risk

The Respondent shall assume all risk for the development, implementation and operation of its Proposal and the obligations contained in any final leasing arrangement for the Heidorn Property.

## Section II – Proposal Format

Proposals must be submitted in the format outlined in this Section. Each will be reviewed to determine if it is complete. The City may reject from further consideration any response that does not follow the format or is deemed not responsive; however, the City reserves the right to waive any minor irregularities or informalities, or cancel this Request for Proposals, or reject in whole or in part any portion of the submittal at any time during the submittal, selection and/or negotiation phase of the RFP process, if the City determines that such cancellation or rejection is in the best interest of the public.

Respondents are required to submit proposals that fully comply with the requirements set forth in this RFP. In addition, alternative proposals may also be offered if the Respondent feels such proposals provide measureable value to the City; but such alternatives must meet the full requirements of this RFP. Please provide ten copies of your response.

1. Executive Summary – Responses shall include a concise abstract of no more than (1) page, providing an overview of the Proposal.
2. Respondent Background and Qualifications Data
  - 2.1. Submit the following company information: name of company, address, telephone number, contact person for this Proposal, and email address.
  - 2.2. General reputation and performance capabilities of the qualified provider including resumes on each person associated with this Proposal.
  - 2.3. Form of legal entity and year established.
3. Experience and Project References
  - 3.1. Fully describe similar projects that Respondent has implemented within the last five years.
  - 3.2. Identify projects that involve the development of similar facilities as proposed, or other projects completed by Respondent that demonstrate Respondent's abilities to complete this Proposal.
  - 3.3. Provide references for each project. Please include the name, address, email address and telephone number of each reference.
4. Technical Approach
  - 4.1 Provide a detailed scope of work for proposed technology.
  - 4.2 Describe any permitting requirements for the Proposal.
  - 4.3 Describe utility requirements for the Proposal, such as sewer, water, natural gas, electric, etc.
  - 4.4 Summarize the environmental risks/benefits to the City.

## 5. Financial Approach

- 5.1 Describe all proposed infrastructure and related costs.
- 5.2 A cash flow statement / balance sheet / income statement and audited financial statements (if available) for the existing entity(ies), partner(s) or individual(s).
- 5.3 Summarize the financial risk/benefit aspects for the City.
- 5.4 Provide a projected budget for the Proposal and a projected cash flow statement with respect to subsequent operations.

## 6. Economic Development.

- 6.1 Describe the potential and expected economic development impact to the City of Jasper and Dubois County.
- 6.2 Describe expected employment gains.
- 6.3 Explain why your firm's approach provides the best value.
- 6.4 Describe the expected economic benefits to be received by the City of Jasper under the Proposal.

## 7. Lease

- 7.1. Describe proposed lease terms:
  - Term of Lease and length/number of any renewals; and
  - Rent amount and payment schedule.
- 7.2. Respondent shall be responsible for:
  - Payment of all real estate and personal property taxes;
  - Payment of all utility services to be used;
  - Maintenance and repairs;
  - Demolition and construction of any existing or new improvements;
  - All applicable insurance(s); and
  - Indemnification of City.
- 7.3 Describe end of lease options.
- 7.4 No subleasing will be allowed without prior approval of the City.
- 7.5 If available, provide a sample lease agreement, along with terms and conditions, not in conflict with those contained herein.

## 8. General Requirements

- 8.1 All costs for the preparation of the RFP response, site visits and engineering analysis, will not be reimbursed by the City and are the responsibility of the Respondent.
- 8.2 The Respondent is responsible for compliance with all Federal, State and Local codes and any applicable safety and environmental regulations.
- 8.3 After the City has met all requirements of Indiana law for the disposal of property (I.C. 36-1-11), the selected Respondent, if any, will be required to enter into a written lease agreement with the City.
- 8.4 The successful Respondent will be required to meet the City's insurance requirements as a condition of the lease agreement. Said insurance requirements will be provided during the negotiation process after City has a better understanding of what its property will be used for.

### Section III – Selection Process

1. Evaluation Criteria – The following list indicates the primary factors for which selection will be based:
  - Preferences listed under Section 1 - Objectives/Preferences;
  - Relevant Company Experience;
  - Proposal References;
  - Personnel Experience;
  - Physical Viability of the Proposal; and
  - Financial Viability of the Proposal.
2. If the City decides to proceed with the selection process, it anticipates that a firm will be selected in November, 2012, and would expect a final agreement to be executed no later than December 31, 2012.
3. After the formal evaluations, the City may request an oral interview to address specific issues, before ranking the Respondents. The interview will allow the Respondents under consideration to clarify the specific points of their response to the RFP. However, the City may select the Respondent based on RFP responses and bypass the interview process.
4. The City will be conducting the selection process in compliance with Indiana law, and shall be holding public hearing(s) as it determines necessary or desired.
5. Respondents are hereby notified that information submitted as part of a response to this RFP, and subsequent requests from the City, shall be open and public in compliance with Indiana law governing public records. Access to the proposals shall be determined in accordance with the provisions of I.C. 5-23-7. The law does provide for certain exclusions to disclosure. If you believe any information provided to the City is confidential information, please identify the specific material to be protected and state the reasons why such information is excluded from disclosure under Indiana's public records law (see I.C. 5-14-3-4, among others). Do not submit a response with all pages marked 'Confidential'. Only mark specific information that Respondent believes to be confidential and provide the legal reason for such belief. The City reserves the right to make the final determination of the applicability of the public records law.
6. All submittals may be rejected in total or portions of one proposal may be combined with other proposals if the City concludes that they could benefit from such an arrangement. At any time during the submittal, selection and/or negotiation phases of the RFP process, the City reserves the right to cancel the Request for Proposals or reject and any all proposals received and, ultimately, not enter into a lease agreement for the Heidorn Property.

## LEGAL DESCRIPTION

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### Request for Proposals for Lease of City of Jasper Heidorn Property

The following described real estate in Dubois County, State of Indiana, to-wit:

Part of the east half of the northeast quarter of the southwest quarter of Section 25, Township 1 South, Range 5 West, bounded as follows: Beginning at a point 410 feet north 88 degrees 5 minutes east of a stone 545.5 feet south of the northwest corner of the east half of the said quarter-quarter (which stone is at the northeast corner of the Schumacher tract) running thence north 1 degree 55 minutes west 52 feet, parallel with the west line of said tract to a stone; thence south 45 degrees 30 minutes east 164.5 feet to a stone in the north right-of-way line of the Southern Railway Company of Indiana, thence southwesterly with said right-of-way on a 3 degree 40 minute curve to the right, 338.5 feet to a stone, thence north 1 degree 55 minutes west, 265.5 feet to the place of beginning, containing 1.3 acres, more or less;

Containing in all 1.3 acres, more or less.

