LEGAL ADVERTISEMENT & NOTICE

REQUEST FOR PROPOSAL NO. 6206-032819-BA

HARRY E. KELLEY AMPHITHEATER REDESIGN

CITY OF FORT SMITH, ARKANSAS

The City of Fort Smith is seeking proposals from qualified developers for the redesign of the Harry E. Kelley Amphitheater property in Fort Smith, Arkansas.

Harry E. Kelley Amphitheater is located at 121 Riverfront Drive, Fort Smith, AR 72902. The City is soliciting proposals from qualified developers for the redesign of the property. Through this Request for Proposal, the City seeks to select a qualified developer(s) with a viable development concept and the capacity to implement a well-designed development integrating a vibrant, coordinated, sustainable mix of uses.

Sealed Requests for Proposals shall be received by the Purchasing Manager of the City of Fort Smith until **4:00 PM, local time, March 28, 2019**, at:

3301 South M Street Fort Smith, Arkansas.

All proposals shall be submitted in accordance with the Request for Proposal ("RFP") which is available on the City's website at www.fortsmithar.gov or may be obtained during normal business hours (Monday – Friday, 7:30 a.m. to 4:00 p.m.) from:

City of Fort Smith Parks and Recreation Department
Attn: Doug Reinert, Parks and Recreation Director
3301 South M Street
Fort Smith, AR 72903
(479) 784-1006

The City of Fort Smith, Arkansas is an Equal Opportunity/Affirmative Action Employer

REQUEST FOR PROPOSAL NO. 6206-032819-BA
HARRY E. KELLEY AMPHITHEATER REDESIGN
CITY OF FORT SMITH, ARKANSAS

The City of Fort Smith ("City") is soliciting proposals from qualified developers for the redesign and redevelopment of Harry E. Kelley Amphitheater, located at 121 Riverfront Drive Fort Smith AR 72902 ("Property"). Through this Request for Proposals ("RFP"), the City seeks to select a qualified developer(s) with a viable development concept and the capacity to implement a well-designed development integrating a vibrant, coordinated, sustainable mix of uses. The redevelopment project must create an intensive, sustainable, vibrant, urban, mixed-use community that creates a unique experience and strong sense of place.

Respondents to this Request for Proposals shall submit to the City a sealed proposal, which will address the various components as set forth in this Request for Proposals.

PROPERTY DESCRIPTION: LEGALS (See Exhibit A)

DEVELOPMENT OBJECTIVES

The City is seeking proposals that will attract "Big Name" concert venues on a regular basis, accommodate large numbers of people and create tourism dollars for the City of Fort Smith. The City is seeking proposals from a developer capable of planning and developing a project that includes all of the land specified in Exhibit A and in accordance with the RFP requirements. The City desires responses which take into consideration and of the following but not limited to options:

Stage: See Exhibit B

- Determine whether the stage should stay in its current location, rebuilt and/or be moved.
- Determine the capacity of electrical and improve the system accordingly.
- Determine the size of the stage and redesign to accommodate lager concert venues.
- Determine the rafter load limits and redesign to accommodate lager lighting and sound systems.

Amphitheater: See Exhibit C

- Evaluate seating configuration to enhance the event experience by maximizing the number of people in attendance.
- Evaluate the removal and replacement of overgrown landscaping.
- Redesign the conversion of seating space to vender space for festivals when concerts are not scheduled.

Flood Management: See Exhibit D

- Design a flood mitigation system that would reduce the rescheduling or cancellation of events due to flooding
- Evaluate the redesign of electrical systems exposed to flood water.
- Evaluate the flood mitigation system with the least amount of maintenance impact.

PROPOSAL COORDINATOR

For additional information regarding this RFP, interested parties may contact Mr. Doug Reinert, Director of Parks and Recreation at 479-784-1006 or by email at dreinert@fortsmithar.gov.

SUBMISSION REQUIREMENTS

The Developer shall submit four (4) hard copies and one electronic copy in a pdf format on a flash drive of all documents required as part of the RFP. Submissions are limited to fifty (50) sides of 8.5 by 11 sheets. It is the Developer's sole responsibility to read and interpret this RFP and the written instructions contained herein.

Responses shall be submitted in a sealed envelope with the Developer's name, address, and the RFP number 6206-032819-BA" shown on the outside of the envelope. Responses to the RFP shall be submitted to:

RFP 6206-032819-BA
City of Fort Smith
Attn: Doug Reinert
3301 South M Street
Fort Smith, AR 72903

Responses are due to the City at or before 4:00 PM, (local time), on March 28, 2019. The City reserves the right to reject any late or incomplete submissions. The City reserves the right to reject any or all responses.

SUBMISSON CONTENT

The submission shall consist of the following elements, which should be provided in the order specified:

A. Cover Letter
   The cover letter shall serve as an Executive Summary of the overall proposal and must be signed by a principal authorized to represent and commit on behalf of the Development Team.

B. Development Team Information
   1. Basic Information
      a) Identify the lead entity and principals.
      b) Indicate the form of legal entity (e.g., individual, limited partnership, nonprofit corporation, general partnership, joint venture, for-profit corporation, Limited Liability Company, etc.) and any relationship the development organization may have with a parent corporation, subsidiaries, joint ventures or other entities.

c) Submit one copy of the proposer's Articles of Incorporation, partnership or other business organizational documents (as appropriate).

2. Development Team
   a) Provide the names, titles, addresses, telephone numbers, e-mail addresses and resumes for key Development Team members, including, but not limited to and to the extent known at this time: the developer, architect/designer, landscape architect, proposed general contractor (if known) and other consultant who would work with the developer on the project. Please provide an organizational chart that identifies key contacts and the relationship between team members.

3. Relevant Experience
   a) Provide evidence of the Development Team's past or current project experience, complete with project photographs or renderings.
   b) Provide contact name and information for public official familiar with the project in the community or communities where the project is located.

C. Project Concept and Development Plan

1. In the narrative form, provide a general overview of the proposed plan for the development of the site.
2. Offer rationale and evidence of market support for the development plan proposed for the site.
3. Provide an overall conceptual site plan illustrating proposed site and building configurations, access and parking location, public access routes, general landscaping and other important site features.
4. Specify any proposed municipal infrastructure improvements necessary to the project.
5. Provide a conceptual elevation and/or perspective rendering of the proposed development, illustrating building materials and architectural character.

D. Economic Benefits

1. Provide a narrative outlining the project's economic benefits to the City of Fort Smith.
2. Specify the number and types of jobs anticipated to be created, if any.

E. Project Timeline

1. Provide a detailed project timeline chart which identifies the anticipated schedule for completing each component of the redevelopment of the site.

DEVELOPER REQUIREMENTS

A. The Developer/Proposer is required to provide a narrative description of the strategy that they will use to insure that small, minority-owned and women-owned business are utilized for the project, including but not limited to contracting, operations, and ownership.

B. The development agreement will be administered by the staff of the City.

C. The relationship of Developer to the City will be that of independent contractor. The Developer will be solely and entirely responsible for its acts and for the acts of its agents, employees, contractors and subcontractors during the performance of the development agreement.

D. The Developer shall not assign or transfer any interest in this development agreement without prior written consent of the City.

E. The Developer will be required to obtain payment and performance bonds or an equivalent form of security approved by the City.

F. The Developer shall agree to defend, indemnify and hold harmless the City of Fort Smith from and against losses and claims, demands, payment, suits, recoveries, and judgments against it, by reason of an act or omission of the Developer, its contractor, subcontractors, its agents or employees in the execution of the development agreement.

G. The Developer's contractor must be a licensed professional as required by the State of Arkansas for any services in this contract requiring such licensure. The contractor must maintain license during the period of the contract and shall submit evidence of compliance.

PROPOSAL EVALUATION CRITERIA

Proposals will be evaluated based on, but not limited to, the following criteria:

A. Completeness of Proposal Response – The thoroughness of the proposal in addressing all of the requested submission information.

B. Development Strategy Approach – The extent to which the proposal development is supported by sound economics and realistic financing.

C. Economic Benefits – The proposal will be evaluated as to the thoroughness with which they address potential economic benefits to the City of Fort Smith.

D. Physical Design – The proposal must respond to the site's unique setting and provide for opportunities for the public to have visual and physical access.

E. Financial Plan and Capability – The proposal should demonstrate a convincing and well-conceived financing plan and offer evidence of available financing to support the proposed development.

F. Strength of Development Team – Each Development Team will be evaluated as to the track record and overall capability of the team leader, as well as each proposed partner.

All qualified submissions received by the deadline will be analyzed by the City's Review Committee ("Committee") according to the criteria outlined in these specifications. Failure to comply with the provisions of the RFP may cause any proposal to be ineligible for evaluation.

Firms and/or teams responding to this RFP shall be available for interviews with the Committee. Discussions may be conducted with responsible submitting entities for purposes of clarification to assure full understanding of and conformance to the RFP requirements. After proposals have been opened, any selected entity notified by the City should be prepared to meet with the Committee at the time and date determined by the City. Selection shall be based on the firm's qualifications applicable to the scope and nature of the services to be performed per this request for proposals. Determination of firm's qualifications shall be based on their written responses to this RFP and information presented to the Committee during oral interviews, if any.

In addition to materials provided in the written responses to this Request for Proposals, the Committee may request additional material, information or references from the submitting entity or others.

Provided it is in the best interest of the City, the firm or team determined to be the most responsive to the City, taking into consideration the evaluation factors set forth in this RFP will be selected to begin contractual negotiations. The firm or team selected will be notified at the earliest practical date and invited to submit more comprehensive information if necessary.

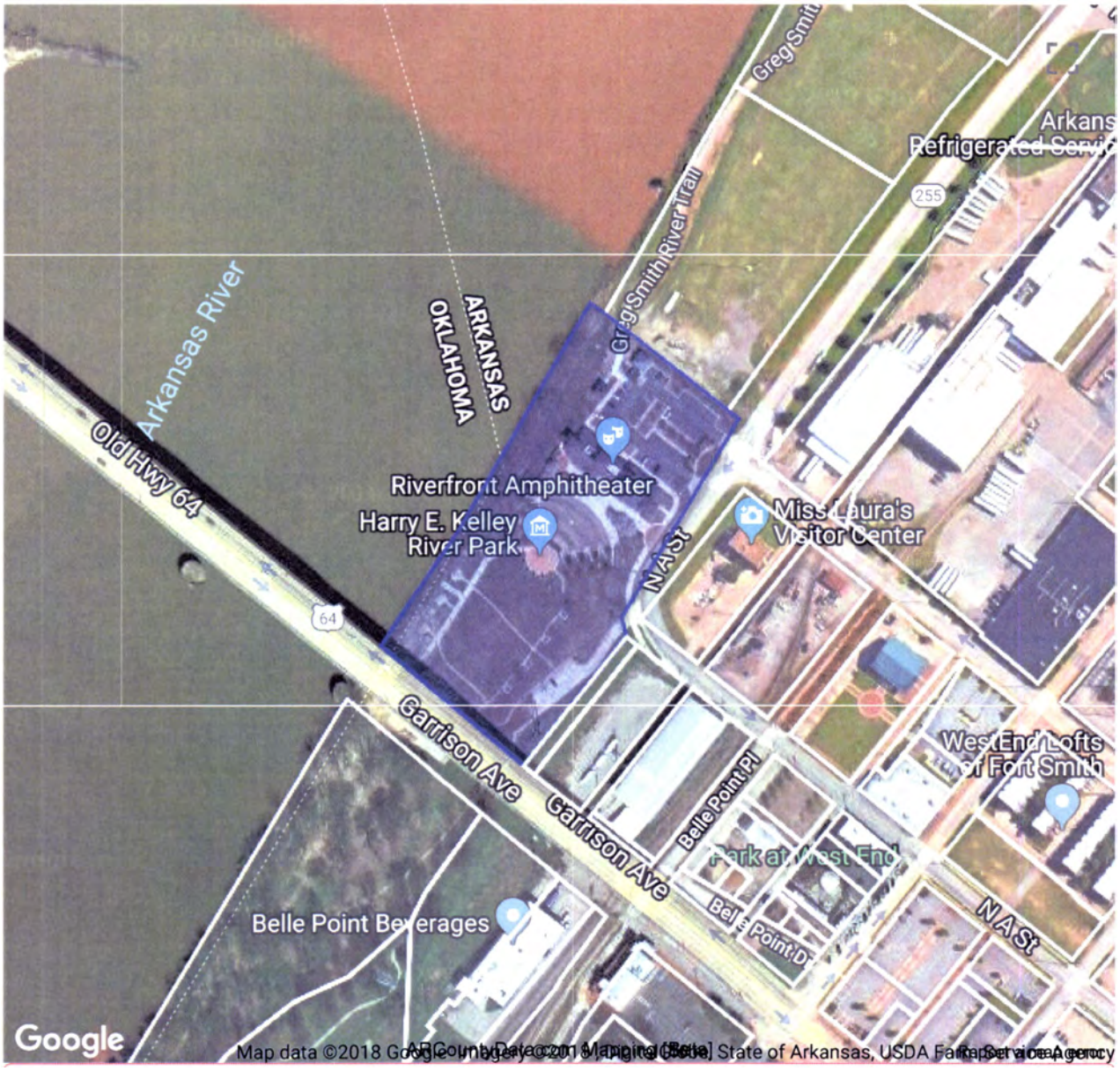
If a satisfactory agreement cannot be reached with the most responsive firm, the City may elect to negotiate with the next best and most responsive individual, firm or team.

EXHIBIT A

CITY OF FORT SMITH (RIVERFRONT AMPHITHEATRE)

121 RIVERFRONT DRIVE
FORT SMITH, AR 72901

Basic Information	
Parcel Number:	18883-0000-00272-00
County Name:	Sebastian County
Mailing Address:	CITY OF FORT SMITH RIVERFRONT AMPITHEATRE 121 RIVERFRONT DRIVE FORT SMITH AR 72901
Property Address:	CITY OF FORT SMITH (RIVERFRONT AMPHITHEATRE) 121 RIVERFRONT DRIVE FORT SMITH, AR 72901 **Map This Address**
Billing Address ❓:	CITY OF FORT SMITH PO BOX 1908 ATTN SHERRI GARD FORT SMITH, AR 72902
Total Acres:	5.66
Timber Acres:	0.00
Sec-Twp-Rng:	08-08-32
Lot/Block:	
Subdivision:	08-08-32
Legal Description:	PT NE/SW
School District:	99FS FORT SMITH CITY
Homestead Parcel?:	No
Tax Status:	EXEMPT GOVT-EG
Over 65?:	No
Map View	



Please Note

This map is for reference purposes only. It is not intended for use as a legal survey or document. This information has been developed from the best available sources. No guarantee of accuracy is granted, nor is any responsibility for reliance thereon assumed.

Valuation Information **view prior year information**

Entry	Appraised	Assessed
Land:	0	0
Improvements:	0	0
Total Value:	0	0
Taxable Value:		0

Millage:	0.0525
Estimated Taxes ❓:	$0.00
Assessment Year:	2015

Tax Information

Year	Book	Tax Owed	Tax Paid	Balance
2017	Current	$0.00	$0.00	$0.00
2016	Current	$0.00	$0.00	$0.00
2015	Current	$0.00	$0.00	$0.00
2014	Current	$0.00	$0.00	$0.00
2013	Current	$0.00	$0.00	$0.00
2012	Current	$0.00	$0.00	$0.00
2011	Current	$0.00	$0.00	$0.00
2010	Current	$0.00	$0.00	$0.00
2009	Current	$0.00	$0.00	$0.00
2008	Current	$0.00	$0.00	$0.00
2007	Current	$0.00	$0.00	$0.00
2006	Current	$0.00	$0.00	$0.00

Sales History ❓

Date	Price	Grantor	Grantee	Book	Page	Deed Type
12/27/1996	0		CITY OF FT SMITH	633	295	

BOOK 633 PAGE 295

CORPORATION QUITCLAIM DONATION DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT SCORES INC., in consideration of the sum of $10.00 to it paid by THE CITY OF FORT SMITH, ARKANSAS, does hereby transfer and quitclaim unto the said THE CITY OF FORT SMITH, ARKANSAS, and unto its successors and assigns forever, the following lands lying in Sebastian County, Arkansas:

See Exhibit "A" attached hereto and incorporated herein.

To have and to hold the same unto the said Grantee and unto its successors and assigns forever, with all appurtenances thereunto belonging.

IN TESTIMONY WHEREOF, the said Scores Inc. has, by order of its Board of Directors, hereunto caused these presents to be signed by Ross Pendergraft, its President, and caused its corporate seal to be hereunto affixed this 20 day of December, 1996.

SCORES INC.

By [signature]
ROSS PENDERGRAFT
President

This Instrument was prepared by WARNER, SMITH & HARRIS, PLC, P.O. Box 1626, Fort Smith, AR 72902-1626.

'96 DEC 27 AM 11 38
FT. SMITH & CO.
CIR CLERK SEB CO

ACKNOWLEDGMENT

STATE OF Arkansas)
) ss.
COUNTY OF Sebastian)

On this 20 day of December, 1996, before me, the undersigned, a Notary Public, duly commissioned, qualified and acting, within and for said County and State, appeared in person Ross Pendergraft, to me personally well known, who stated that he was the President of Scores Inc. and was duly authorized in his capacity to execute the foregoing instrument for and in the name and behalf of the corporation, and further stated and acknowledged that he had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year stated above.

Sarah A. Dennis
Notary Public

My Commission Expires:

8-27-2000

I certify under penalty of false swearing that at least the legally correct amount of documentary stamps has been placed on this instrument.

[signature]
GRANTEE/AGENT

GRANTEE/AGENT'S ADDRESS:

City of Fort Smith
Finance Department
P. O. Box 1908
Fort Smith, AR 72902

STATE OF ARKANSAS)
) ss.
COUNTY OF SEBASTIAN)

Subscribed and sworn to before me this 26th day of December, 1996.

Bobbie J. Jeffers
Notary Public

My Commission Expires:

January 21, 2001

BOBBIE J. JEFFERS

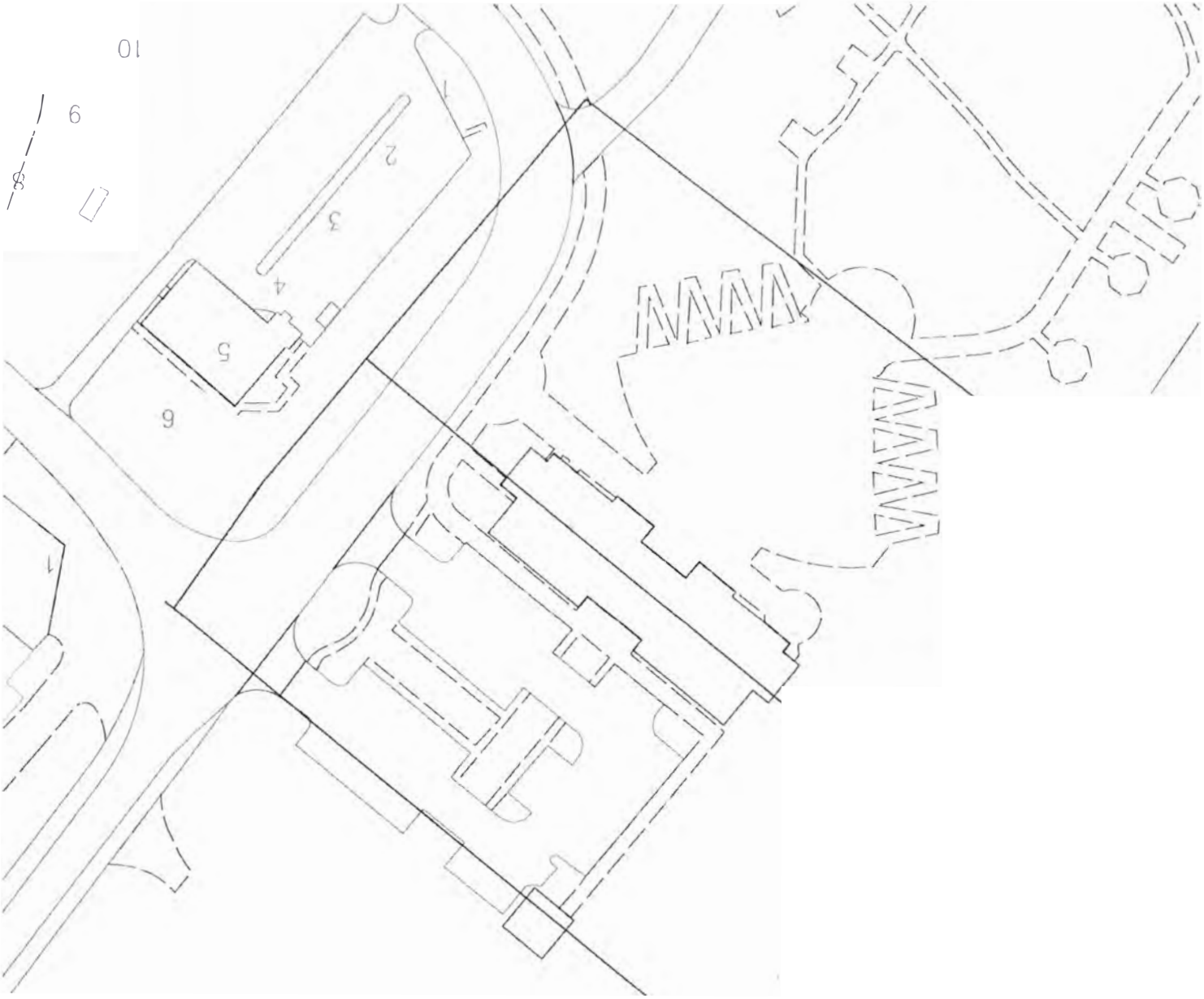
Part of Section 8, Township 8 North, Range 32 West, more particularly described as follows:

Commencing at the southwest corner of Block 3 of the Original City of Fort Smith, thence north 51°32' west along the northeasterly right-of-way line of North "B" Street extended to the right bank of the Arkansas River, thence southwesterly along said right bank of the Arkansas River to a point intersecting the south line of the N/2 of Lot 4, Block 2, Original City of Fort Smith, extended to a point on the right bank of the Arkansas River, thence south 52°25' east to the southwest corner of the N/2 of Lot 4, Block 2, Original City of Fort Smith, thence northeasterly along the west line of Block 2 of the Original City of Fort Smith to the point of beginning, subject, however, to an Easement Deed to the United States of America to overflow, flood and submerge a portion of said property, and an Easement Deed to the Arkansas State Highway Commission for highway purposes, containing 1.48 acres, more or less. LESS AND EXCEPT all minerals and mineral rights.

AND

Part of the Fractional Southwest Quarter of Section 8, Township 8 North, Range 32 West, Sebastian County, Arkansas, more particularly described as follows: Starting at most Northwesterly Corner of the South Half of Lot 4, Block 2 of the Original City of Fort Smith; thence North 52°25' West a distance of 6.9 feet to a point on the proposed Southeasterly right-of-way line of River Front Drive for a point of beginning; thence South 34°49' West along said proposed right-of-way line a distance of 96.5 feet to a point; thence South 33°57' West along said proposed right-of-way line a distance of 103.4 feet to a point; thence North 52°25' West a distance of 335 feet more or less to a point on the East Bank of the Arkansas River (Edge of Stone Riprap); thence Northeasterly 205 feet, more or less, along said East Bank to a point; thence South 52°25' East a distance of 385 feet, more or less, to the point of beginning and containing 2.3 acres, more or less, ALSO, the parcel described as follows: Beginning at the most Northwesterly corner of the South Half of Lot 4, Block 2 of the Original City of Fort Smith; thence North 52°25' West a distance of 6.9 feet to a point on the proposed Southeasterly right-of-way of River Front Drive; thence South 34°49' West 96.8 feet; thence South 33°57' West along a line to its intersection with the Northwesterly line of said Block 2; thence Northeasterly along the Northwesterly line of Block 2 to the point of beginning. LESS AND EXCEPT all minerals and mineral rights.

Plot based on legal description, and not a true survey so the north line along the parking area may be off slightl



LEGAL DESCRIPTION

A tract of land described as being part of the Southwest Quarter (SW/4), Section 8, Township 8 North, Range 32 West, lying between the Arkansas River and the Northwesterly line of Lots 1 thru 6, Block 1 of the Original City of Fort Smith, Arkansas, and more particularly described as follows:

Beginning at the Southwest corner of Lot 1, Block 1, Original City of Fort Smith, Arkansas; said point being located on the North Right-of-Way of Garrison Avenue; thence North 50°30' West, 280' along the North Right-of-Way of Garrison Avenue extended to its intersection with the high bank of the Arkansas River; thence North 31°30' East, 327.5' along the high bank of the Arkansas River to its intersection with the centerline of North "A" Street extended; thence South 50°30' East, 320' along said centerline of North "A" Street to the Westerly line of Block 1, Original City extended; thence South 39°30' West, 325.0' along the Westerly line of Block 1, (Lots 6 thru 1) to the Point of Beginning, containing 2.2 acres, more or less.

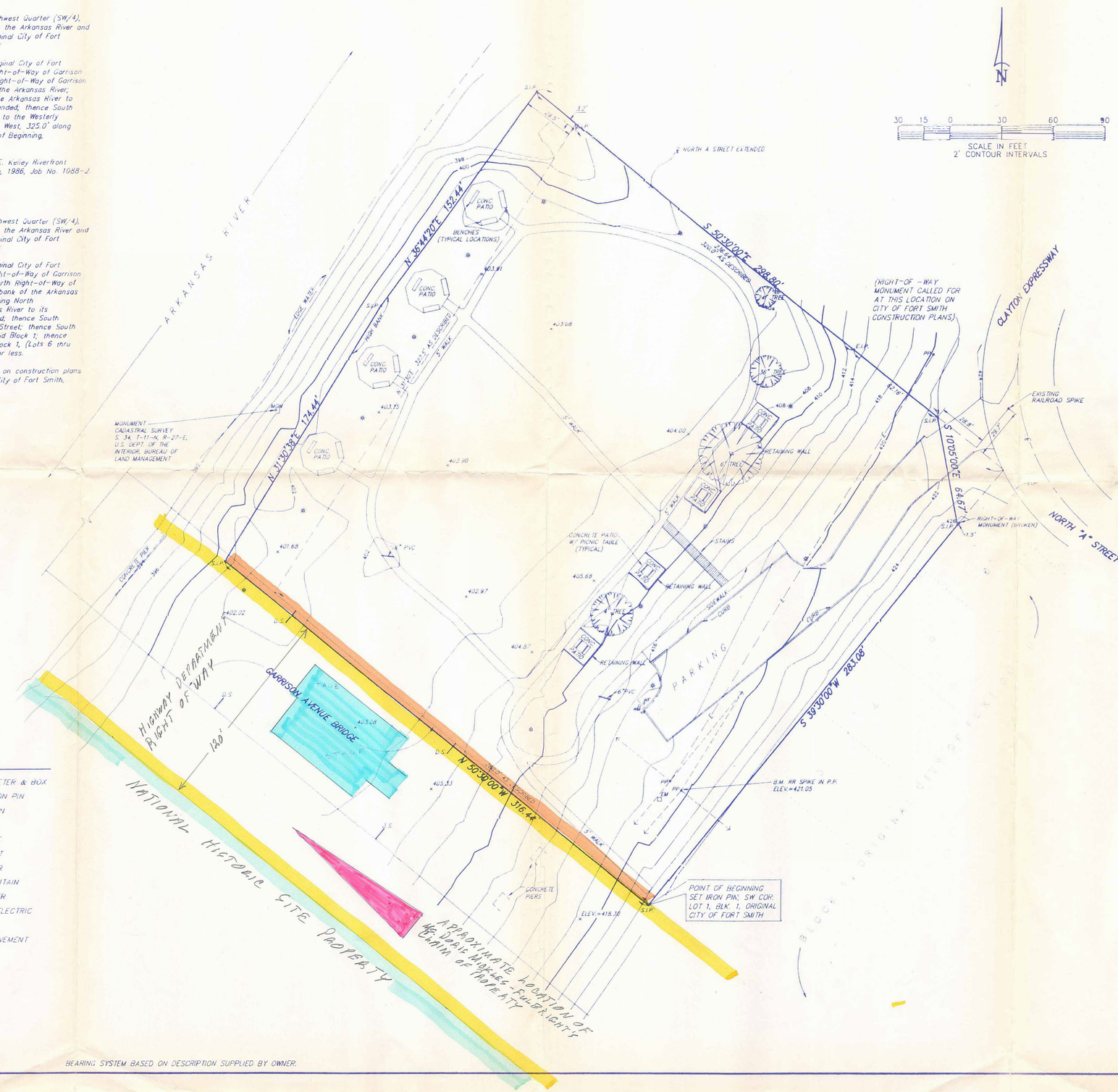
NOTE: Legal Description from construction plans for Harry E. Kelley Riverfront Park Phase II, by the City of Fort Smith, dated June, 1986, Job No. 1088-2.

LEGAL DESCRIPTION
AS SURVEYED

A tract of land described as being part of the Southwest Quarter (SW/4), Section 8, Township 8 North, Range 32 West, lying between the Arkansas River and the Northwesterly line of Lots 1 thru 6, Block 1 of the Original City of Fort Smith, Arkansas, and more particularly described as follows:

Beginning at the Southwest corner of Lot 1, Block 1, Original City of Fort Smith, Arkansas; said point being located on the North Right-of-Way of Garrison Avenue; thence North 50°30'00" West, 316.44' along the North Right-of-Way of Garrison Avenue extended to its intersection with the high bank of the Arkansas River; thence North 31°30'38" East, 174.44'; thence continuing North 36°44'20" East 152.44' along the high bank of the Arkansas River to its intersection with the centerline of North "A" Street extended; thence South 50°30'00" East, 298.80' along said centerline of North "A" Street; thence South 10°05'00" East 64.67' to a point on the Westerly line of said Block 1; thence South 39°30'00" West, 283.08' along the Westerly line of Block 1, (Lots 6 thru 1) to the Point of Beginning, containing 2.48 acres, more or less.

NOTE: Survey parcel based on high bank location as shown on construction plans for Harry E. Kelley Riverfront Park Phase II, by the City of Fort Smith, dated June, 1986, Job No. 1088-2.



LEGEND

EM	ELECTRIC METER & BOX
E.I.P.	EXISTING IRON PIN
S.I.P.	SET IRON PIN
	LIGHT POLE
PP	POWER POLE
D.S.	DOWN SPOUT
	GUY ANCHOR
WF	WATER FOUNTAIN
WM	WATER METER
—E—	OVERHEAD ELECTRIC
	TREE
EOP	EDGE OF PAVEMENT

BEARING SYSTEM BASED ON DESCRIPTION SUPPLIED BY OWNER.

500 08N 32W W 08 330 65 0905

Revisions:

REGISTERED LAND SURVEYOR — STATE OF ARKANSAS — NO. 1956 — ROGER A. HOLLAND — PROFESSIONAL LAND SURVEYOR

HAWKINS-WEIR ENGINEERS, INC.
Engineers - Surveyors - Consultants
1019 Pointer Trail East, Van Buren, Arkansas 72956
(501) 474-1227

FORT SMITH, ARKANSAS
SURVEY & TOPOGRAPHIC MAP
OF
HARRY E. KELLEY RIVERFRONT PARK
FOR: ANDERSON - HUNTER ARCHITECTS

Date:	MAR., 1994
Scale:	1"=30'
Drawn By	R.S
Job No.:	FS-94-12
Sheet	1 of 1

Exhibit B

Exhibit C

Exhibit D