

**REQUEST FOR PROPOSALS**

**For**

**CREATIVE AND HIGH-IMPACT  
LAND DEVELOPMENT PROJECTS**

**CITY OF NEW BRAUNFELS, TEXAS**

**Proposals Are Due By November 18, 2005**

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## **EXECUTIVE SUMMARY**

### **Potential Development Opportunity and Reservation of Rights:**

The City of New Braunfels via their Industrial Development Corporation (IDC) is seeking proposals from qualified and experienced developers for industrial and commercial development projects (creative and high-impact, mixed-use projects will also be considered) that can have a high impact and meet the goals of the New Braunfels community. The IDC will be providing assistance to the selected applicant(s). The City of New Braunfels reserves the right to award one, more than one or no contracts in response to this RFP.

### **Location:**

Projects must be located within the city limits or the extra-territorial jurisdiction of the City of New Braunfels. Any privately-owned parcel within the City's Extraterritorial Jurisdiction (ETJ) is eligible for assistance. Applicants should review the "Exhibits" section of this RFP. Although any parcel is eligible for assistance, the City is keenly interested in receiving development proposals for projects inside the city limits that take advantage of highway and/or rail access, and in areas that are identified on the City's zoning and future land use map as commercial or industrial.

### **Assistance:**

The IDC can provide infrastructure assistance and possibly financial assistance for land development projects that clearly demonstrate a significant positive impact to the community. The review committee will also be looking for development teams who have a successful track record with projects similar to the applicant's proposed project. The Greater New Braunfels Chamber of Commerce can assist in marketing the property.

### **Pre-Submittal Meeting:**

Although not required, all applicants are encouraged to attend the following pre-submittal meeting:

**September 30, 2005 at 10:00 AM**

City of New Braunfels  
Municipal Building, Conference Room A  
424 South Castell  
New Braunfels, Texas

**Proposal Due Date:**                      **Friday, November 18, 2005  
5:00 PM, Central Standard Time**

### **Contact Information:**

Michael Meek  
President  
Greater New Braunfels Chamber of Commerce  
P.O. Box 311417  
New Braunfels, TX 78131-1417  
Telephone (830) 625-2385  
Email: [meek@nbcham.org](mailto:meek@nbcham.org)  
Website: <http://www.nbcham.org>

## **THE OPPORTUNITY**

With its strategic location on I-35 midway between San Antonio and Austin and minutes from I-10, New Braunfels is well-positioned for continued development. The City's population in 2005 is estimated at 44,500, an increase of roughly 8,000 (20 percent) from the 2000 Census. Educational attainment and income levels reported by New Braunfels during the Census were slightly higher than the state as a whole, with roughly 25 percent of residents having a Bachelor's degree or higher, and a median household income of \$40,078.

Several businesses have recently announced plans to expand or relocate in New Braunfels including Harley-Davidson, Home Depot Supply Customer Call Center, A-Lert Building Systems, and Ashley Furniture HomeStores DC & Corporate Headquarters to name a few. Site location factors that favor New Braunfels include low tax rates, city-owned utilities, rail and air access, and a committed leadership. The latter is evidenced by the City's new Land Development Code whose goal is "Fair and Balanced" and the aggressive marketing strategy employed by the New Braunfels Chamber of Commerce (funded by the IDC and Economic Development Foundation) to attract Toyota suppliers to support the auto manufacturers San Antonio operation.

New Braunfels is a top tourism destination in the state and is home to a number of regional attractions, including Schlitterbahn Waterpark Resort, Natural Bridge Caverns, and The Marketplace, a major outlet mall. Water recreation, exemplified by "tubing" on the Guadalupe River, and boating on nearby Canyon Lake, are popular activities that draws hundreds of thousands to the region each year. The City's historic downtown also contributes to its small town atmosphere.

Given these assets, the City and its partners feel strongly that the market in New Braunfels is ripe for growth provided the right opportunity is presented.

### **Public Assistance To The Development**

The IDC will be providing assistance to the successful applicant(s). Potential public contributions include:

- Assistance with site design
- Assistance with permitting fees and application
- Assistance with infrastructure design and installation, including utilities and detention and drainage requirements
- Possible financial assistance

Applicants should be very specific about the amount of requested assistance and how the applicant will leverage the assistance for a successful project. Applicants should describe the product delivered and available, including pricing strategy. Proposals requiring less assistance will generally be more competitive than those requiring significant subsidy. The appropriateness and amount of any public financing will be dependent on an analysis of the financing plan submitted by the Developer and the availability of public funds.

## **GOALS, OBJECTIVES & DEVELOPER RESPONSIBILITIES**

The IDC's primary goal in this RFP process is to encourage quality development in New Braunfels. Although the IDC is keenly interested in development projects that will result in a business park with warehousing and/or distribution facilities, the IDC will also entertain proposals for other commercial and industrial projects. Mixed-use projects that combine residential with office, commercial and/or retail uses on one site will also be considered but they must be creative and have a high impact on the community.

Proposed projects must meet the following minimum requirements in order to be considered:

- Projects must be on at least 50 acres (proposals involving more than 100 acres are preferable).
- Projects must have initial vertical development of at least 200,000 square feet of building space. Applicants with businesses ready to occupy their initial vertical space will be given preference. 4B incentives direct to that company are also possible as part of the package.
- Projects must deliver product available to the open market.

The Selection Committee will review the proposals based on the submittal requirements found on the following pages. The successful applicant will clearly demonstrate how their project will address the following critical success factors:

- Job creation (including potential wage rates and quality of jobs)
- Property tax generator
- Sales tax generator
- Clean industry/business
- Accordance with the goals of the City's Comprehensive Plan and Future Land Use Map

The Developer is responsible for the following elements of the applicant's project:

- Fiscal
- Architecture/Design
- Engineering
- Developer
- Builder
- Project Manager

## **RFP PROCESS and SCHEDULE**

Proposals are due in the City of New Braunfels's office by **Friday November 18, 2005 5:00 PM**, Central Standard Time. Late responses will not be considered for award.

Proposals should be sent to the following person:

**Matt Harrison**  
President  
New Braunfels Industrial Development Corporation  
PO Box 311747  
New Braunfels, TX 78131-1747

It is the developer's responsibility to assure delivery of its proposal to the location listed above prior to or at the designated date and time. In order to facilitate review by the City, please submit materials in keeping with the format described below. Developers will NOT be entitled to withdraw or amend their proposals for ninety (90) days after the submission of proposals.

A Pre-submittal meeting will be held on **September 30, 2005 at 10:00 AM** in the City of New Braunfels municipal office (Conference Room A), located at 424 South Castell in New Braunfels, Texas.

### **The following steps will be taken to select a developer(s):**

- Proposal submittal (Due by November 18, 2005)
- Evaluation of submittals by review panel (December 2 , 2005)
- Interviews of any selected group of submitters (TBD)
- Developer may be selected for exclusive negotiations of a Development Agreement (January 6, 2006)

## **SELECTION PROCESS, SUBMITTAL REQUIREMENTS, & CRITERIA**

### **Selection Process**

The selection committee will review all proposals submitted by the proposal deadline. The committee may elect to interview certain qualified applicants who will then be asked to provide a presentation to the selection committee and be available to answer questions about the applicant's proposal. The committee will then make a selection of the project(s) that the IDC would like to assist and begin negotiating with that applicant(s).

### **Submittal Requirements**

The Developer shall submit six (6) copies of all documents required as part of the RFP. Submissions must be hand delivered or delivered by postal or delivery service by the time indicated in this RFP. E-mail or electronic delivery will not be accepted. Submissions lacking one or more of the requested documents may be considered irregular. The IDC reserves the right to reject any irregular submission and reserves the right to waive any irregularity in submissions.

It is the developer's sole responsibility to read and interpret this RFP and the written instructions contained herein. **The developer shall provide ALL of the following in the order in which the items are listed below:**

### **Cover Letter**

The applicant must provide a clear summary of the proposed project in a cover letter accompanying the proposal. The applicant should briefly describe the project and its impact. The applicant should also identify in the cover letter the amount of assistance that the applicant is requesting and the ratio of assistance of the IDC to the overall project costs.

### **Statement of Qualifications**

- a. Identification of the type of legal entity with whom the IDC would contract.
- b. Identification of the Developer, including all joint venture or limited partners and percentage of interest.
- c. The Developer's previous experience including, (1) brief description of at least two similar projects (date, location, concept, land uses, square footage of each use type (commercial, industrial, residential), construction cost, leasing and/or sales strategy, (2) photographs of projects, (3) description and role of development entity, (4) current status of project, and (5) contacts enabling the City to verify information.
- d. Evidence that the Developer, including joint venture partners, has the financial capability to carry out the proposed commitments. The Developer's two most recently audited financial statements shall be submitted (this information will remain confidential). If the assets of the Developer as shown by the financial statements are not to be maintained at risk, either through agreement or the use of a single purpose business enterprise, then the proposed agreement and capitalization of the single purpose entity should be stated.
- e. Organization and management approach, and role of each development partner and major consultant, in the implementation of the development.

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- f. References for the Developer from financial institutions and community/city governments. The City shall have the right to verify the accuracy of all information submitted and to make such investigation as it deems necessary to determine the ability of a prospective Developer to perform the obligations in the response. The IDC reserves the right to reject any response where the available evidence or information does not satisfy the IDC that the prospective Developer is qualified to carry out properly the obligations of the response, is a person or firm of good reputation or character for strict, complete and faithful performance of business obligations, or if the prospective Developer refuses to cooperate with and assist the City in the making of such investigation.

**Design Concepts**

- a. A brief written description of the proposed development including an explanation of the manner in which the proposal meets the goals and requirements of this RFP.
- b. Conceptual land use plans (also identifying existing and proposed streets), a map that shows the location of the proposed project within the ETJ, elevation drawings from adjoining streets, and identification of exterior material and finishes.

**Financial Analysis**

The Developer shall prepare and submit a financial analysis of the development including equity contribution, construction cost estimate/pro forma including land costs, square footage of development, square footage by type of space to be built (commercial, industrial, retail, office, residential), lease and operating expense estimates for the space, proposed financing, leasing timetable and lease, and operating expense estimates.

**Development Schedule**

The Developer should be prepared to complete the development of the property such that a Certificate of Occupancy has been issued by December 31, 2007. The Developer shall submit a development schedule for the proposed development indicating dates for major milestones, such as start of project design, construction bids, and start of construction. In addition, the following deadlines should be incorporated into the Development Schedule:

- Schematic design drawings to be completed within 45 days of the signing of the Purchase and Sale Agreement
- Design development drawings to be completed within 45 days of the approval of the schematic design
- Final design drawings to be completed within 60 days of the approval of the design development drawings.
- Closing shall be within 60 days of final approval of design documents, subject to compliance with all closing conditions.

**Marketing Approach**

The developer shall include a description of its marketing approach for leasing of the space in the development.

**Deposit**

Along with the proposal, the Developer shall submit a check (certified or cashier's) made payable to the City of New Braunfels in the amount of \$1,000 to serve as a deposit. Deposits will be returned to the Developers that are not selected.

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**Earnest Money**

Upon selection, the Developer shall submit a non-refundable check (certified or cashier's) made payable to the City of New Braunfels in the amount of \$1,000 as earnest money for the Purchase and Sale Agreement and Development Agreement. The Developer(s) will be required to submit the earnest money within 10 days of being notified that it has been selected or forfeit its position and the IDC will begin negotiations with an alternative Developer selected by the IDC. The \$1,000 earnest money shall be non-refundable in the event Developer, after performing its due diligence, elects to terminate the transaction. If the transaction is not terminated, the total \$1,000 deposit and \$1,000 earnest money will then be applied toward the purchase price. Should the chosen development team be unable to perform for any reason, the Developer shall forfeit both the deposit and earnest money and the City shall retain the \$2,000 as liquidated damages.

**Exceptions**

In the event that the Developer desires to take exception to any term or condition set forth in the Agreements, as well as any request for modification to the Design Guidelines, **said exceptions must be clearly identified in Developer's response to this RFP**. Exceptions or deviations to any of the terms and conditions must not be added to the proposal pages but must be included separately as part of the Developer(s)' Statement of Preferred Scope of Development and Firm Bid.

**Exhibits**

The following exhibits are important for the applicant to review and reference in the proposal. Each of these exhibits can be found at the following website: [www.tipstrategies.com/nb](http://www.tipstrategies.com/nb):

**Exhibit 1: City of New Braunfels Future Land Use Map**

This map illustrates the intended future land uses throughout the City. This map will be used in zoning change decisions. This map also represents the physical manifestation of the Vision of New Braunfels.

**Exhibit 2: City of New Braunfels Zoning Map**

This is the official zoning map for the City of New Braunfels. This map is subject to change but in accordance with the City's Comprehensive Plan and the City's Future Land Use Map (see above).

**Exhibit 3: Airport Master Plan – Map**

**Exhibit 4: NBU Predevelopment Plan**

**RESERVATION OF RIGHT NOT TO AWARD CONTRACT**

Notwithstanding anything said above, the **City of New Braunfels** reserves the right to award one, more than one or no contract(s) in response to this RFP. Unless stated above, the City of New Braunfels shall not be liable for any expenses incurred by Developer in responding to this RFP.