

**CHUBBUCK DEVELOPMENT AUTHORITY  
REQUEST FOR PROPOSALS (RFP)  
339 E CHUBBUCK ROAD - REDEVELOPMENT**

The Chubbuck Development Authority ("CDA") is pleased to request proposals from interested parties to develop the property located at 339 E Chubbuck Road in the City of Chubbuck, Idaho. Responsive proposals to this request must demonstrate the ability to remove deteriorated or underdeveloped conditions and for redevelopment of the property in a manner that enhances economic growth, construction, and redevelopment consistent with Chubbuck's vision for its urban core. The Preferred Developer will demonstrate that their proposal and redevelopment of the property will add to the vitality and momentum of Chubbuck's downtown redevelopment efforts.

This RFP is a competitive process in accordance with Idaho Code section 50-2011. After reviewing the responses to this RFP and potentially interviewing parties who have submitted responses ("Developers"), the CDA anticipates selecting one responding party ("Preferred Developer"). The process and criteria that will be used to make the selection are described below.

Upon selection, the CDA and Preferred Developer will enter into an Agreement to Negotiate Exclusively ("ANE"). The CDA and Preferred Developer will negotiate in good faith to reach agreement on and execute a Disposition and Development Agreement ("DDA") that sets out the terms as well as the process by which the CDA will convey ownership of the property to Preferred Developer and Preferred Developer will develop the property. The DDA will define the parties' respective roles and responsibilities, set out pre-development activities, establish timeframes, and provide key terms and conditions of the sale and development of the property. It is expected that the sale will close within 90 days of DDA signing.

**1. DEADLINE FOR SUBMISSION: March 15, 2023 at 5 PM**

**2. PROJECT SUMMARY:**

- Site Description: The site is rectangular, roughly (50' x 395') 19,750 square feet in size.
- Building Description: There is one structure on-site that is approximately 5,985 square feet. The structure was built in approximately 1953. The building is approximately 48 feet wide and closely abuts the east and west property lines. The building is not built per current codes, is unsafe, and is unsuitable for occupation. The building is primarily constructed of masonry and wood.
- History: The property was purchased in 2018 by the Agency and a Phase 1 Environmental Site Assessment was performed. The Assessment did not reveal the presence of known or suspect recognized environmental conditions at the property other than items which were identified in the report and which were removed from the site prior to the Agency taking ownership. The

assessment indicated that other hazards may exist but none were known about at the time of the report and the Agency is not aware of any.

- Current Zoning: City of Chubbuck, V, Village.
- Ownership: Chubbuck Development Authority.
- Intended Uses: Uses congruent with the City of Chubbuck's downtown area vision and City codes found in Chapter 18.19 Chubbuck Village Criteria; the code is form-based and allows for a variety of mixed use.
- Development Timeline: Flexible depending on proposals but projects which can be completed in a shorter time are preferred.
- Price: To be negotiated, but in no case less than the fair re-use value as determined by a fair use appraisal. Provided, however, if the Fair Re-Use Value is negative, the property will be sold for zero dollars (\$0.00).

### **3. BACKGROUND:**

The area now identified as the downtown area, formally called "Chubbuck Village," sits between I-86 on the south, Chubbuck Road on the north, the Union Pacific railroad tracks on the east, and Yellowstone Avenue on the west, and has been an area of fluctuating mixed uses for several decades, largely containing a mix of retail, restaurant, professional, light industrial, and residential properties. In the past 20 years, the downtown area has seen several properties redevelop to now include the Idaho Central Credit Union corporate headquarters on Central Way and the new Chubbuck City Hall property at the intersection of Burley Drive and East Linden Ave.

Chubbuck has developed a strategic plan for redevelopment of this area into a downtown hub based on input from the public and stakeholders. Since 2018, the CDA and Chubbuck have acquired approximately 10 acres of property in the downtown area to assist with implementation of the vision, and Chubbuck decided to locate its new City Hall in the downtown area. In Spring 2022, Chubbuck comprehensive plan and zoning ordinances were formally modified to designate the area as Chubbuck Village and to establish zoning standards.

The following reuses have been identified by the Agency as ways to redevelop the site but other possible uses will be considered:

- Proposals which would renovate the subject property to bring it to current building and city codes and which would contain uses befitting of the downtown/Chubbuck Village vision and effort. Examples of such possible uses could include a restaurant or art gallery. Note: Because parking on the subject property for such uses is likely unfeasible due to the configuration of the parcel and the structure, this option would likely require a proposal that considered the property as part of a land assembly with adjoining properties; or

- Proposals which would redevelop the property, and which would either solely or in conjunction with surrounding properties, demolish the existing structure and construct a new structure or structures on (or as part of a land assembly and project with adjacent properties) which would be congruent with the vision of the downtown concept and effort both along Chubbuck Road and Burley Drive; or
- Proposals which would demolish and grade the site for use as a secondary access or use for primary uses that front on Burley Drive with said uses which, at Burley Drive are congruent with the downtown vision and effort and which have an active ground level design. An active ground level design with the ground floor including, but not limited to, retail, restaurant, service, and office uses, and upper floors used for commercial, professional, or residential uses; or
- Other proposals which may satisfy the Agency's goals.

### **3. ABOUT THE PROPERTY**

- Access: The subject property is accessed East Chubbuck Road. In 2021, Chubbuck Road immediately in front of the property had vehicle volumes of 12,597 average daily trips at the property.
- Surrounding Uses/Zoning:
  - *West:* The property is bordered to the west by 2 properties, one being a single-family residence at the north and the other being a vacant commercial property without structures used to store commercial vehicles and material. which are zoned V, Village.
  - *East:* Union Pacific Railroad Property and a rail line. Across the approximately 100' railroad right-of-way is the Patriot Square commercial development. The railroad right-of-way is not zoned and Patriot Square is zoned C-2.
  - *South:* The property is bordered to the south by a single property, a vacant commercial property without structures used to commercial vehicles and material. The property is zoned V, Village.
  - *North:* Chubbuck Road, a principle arterial street with a right-of-way width of 80 feet is located between the subject property and the properties to the north. The property to the north is being developed currently as a drive through coffee restaurant and is zoned Industrial.
- Infrastructure and Utilities: City water is available on site with a water meter on the property from Chubbuck Road. Electricity is available on site. Off-site, but available, infrastructure and utilities include sewer, fiber optic, natural gas,

electricity, television cable, and telephone.; interested developers should contact the representative providers for specific information.

- **Zoning and Land Use Entitlement:** The City of Chubbuck’s regulations apply for this Project. The subject property is currently zoned V (Village) and lies wholly within the Chubbuck City Limits. A broad range of mixed uses are allowed in the Village zoning district and this district is form-based. The City welcomes all property owners in the area to be involved with the formation of the new code for the zone. Redevelopment and construction of the site will require approvals from the Building Division for demolition, building, electrical, plumbing, HVAC, etc. permits, the City Council for plat approval, from Development Services Division for development improvement plans, and approvals from the Design Review Committee for technical clearances. The current building footprint creates usage constraints for parking, landscaping, stormwater, etc. on the site.

**4. INCENTIVE:** The CDA invites Developers who are prepared to pay the fair reuse value for the property and develop the property for purposes and uses as discussed in this RFP. A fair reuse appraisal is defined in Idaho Code Section 50-2011 and is based on the estimated resale value of a property considering the restrictions and controls set forth in the urban renewal plan, time of performance, environmental conditions, public process, and other conditions not normally placed on a property. If the Fair Re-Use Value is negative, the property will be sold for zero dollars (\$0.00). This incentive is available in connection with the economic and blight abatement goals and objectives set forth in the urban renewal plan and Idaho law and is conditioned upon development of the site by Preferred Developer in substantially the manner proposed in its response to this RFP. The terms of the sale will prohibit acquisition of the property for resale or speculation.

**5. SELECTION CRITERIA:** The CDA will select the preferred development proposal based on the following scoring matrix:

339 E CHUBBUCK ROAD- SCORING MATRIX		POINTS
1	<b>Development Experience</b> - Track Record - Evidence of Financial Capacity to Perform in a Timely Manner - References	<b>75</b>
2	<b>Vision</b> - Conceptual Vision of Uses and Development Timelines	<b>60</b>
3	<b>Purchase Price</b>	<b>40</b>
<b>TOTAL POINTS</b>		<b>175</b>

## 6. SELECTION PROCESS:

- a. Proposals will be considered by the CDA Board Chair and the CDA Executive Director for completeness. Proposals deemed complete will be distributed to the CDA board for evaluation. Respondents may have an opportunity to present their proposals to the CDA board.
- b. The CDA may consider input from Chubbuck's staff in selecting the Preferred Developer and negotiating terms of an Agreement to Negotiate Exclusively ("ANE") and the DDA. If the CDA and Preferred Developer are unable to reach a satisfactory agreement, the CDA may terminate negotiations and commence negotiations with the next highest ranked Developer and, or, in its sole discretion, determine not to enter into a DDA with any of the Developers and terminate the process.
- c. The CDA will determine, from the information submitted in the responses, the most qualified proposal to meet the stated duties as evaluated under the criteria set forth herein. The CDA will make the final selection.

## 7. SUBMITTAL REQUIREMENTS:

Each proposer shall submit:

- **Purchase Price:** The purchase price offered may be a fixed sum or Proposal may also include an escalation amount over the highest bid, if desired.
- **Purchase Terms:** Any terms or contingencies Developer would like to have incorporated into the DDA.
- **Developer Information:**
  - Name, address, telephone number, and email address of Developer.
  - Name, address, telephone number, and email of Developer's representative submitting the proposal.
  - Identify business partners, principals, design professionals, and other development team members, highlighting relevant project experience and past successful development projects.
  - Webpage address, if any, of Developer.
- **Support for Chubbuck Village vision:** A statement that the Developer has read the vision for Chubbuck Village as found in the Comprehensive Plan and is committed to fulfilling that vision through development of the property.
- **Development Plan.** A narrative statement explaining Developer's plan for removal of deteriorated conditions and blight and development of the property, including a projected timeline for development. Developer may, but is not required to, submit photos or drawings from other developments, whether done by Developer

or not, to demonstrate concepts which they're considering for the property's development.

- **Financial Information:** Developer's financial capacity, track record, and anticipated funding sources for the project.
- **Professional References:** Three (3) professional references that speak to the quality of work on current or past developments. Contact information should include the name, title, entity, telephone number, email address, and relationship to your firm.
- **Additional Information:** The CDA reserves the right to request additional information during the review period.
- **Number of Copies:** Three hard copies and one electronic copy submitted in PDF format.
- **Deadline: Responses must be received by mail or hand-delivered no later than 5:00 PM on March 15, 2023.** It is the responsibility of each Developer to see that its submission is received by the date and time stated in this RFP. No oral, facsimile, or email submittals will be considered.
- **Proposals must be submitted to:**

Chubbuck Development Authority  
C/O Devin Hiram, Executive Director  
Chubbuck City Hall  
290 E. Linden Ave.  
Chubbuck, ID 83202

All proposals shall be clearly marked and in an envelope labeled "**Redevelopment Proposal – 339 E Chubbuck Rd.**" Proposals will be received at any time during regular Chubbuck City Hall business hours (7:30 a.m.-5:30 p.m., Mondays through Thursdays, and 7:30 a.m.-11:30 a.m., Fridays, excluding holidays). Hand-delivered proposals may be delivered to the permitting reception desk located on the 1<sup>st</sup> floor of Chubbuck City Hall.

- **Questions due in writing by February 28, 2023:** All questions must be put in writing by February 28<sup>th</sup> and emailed to [dhillam@cityofchubbuck.us](mailto:dhillam@cityofchubbuck.us). Staff will respond to questions as quickly as possible in writing and will post responses on the CDA's webpage. Other updates will also be posted on the webpage and emailed, if staff have been notified of your interest in submitting a proposal and provided a contact email.

## **8. TARGET DATES:**

- Notice published and RFP issued: January 25, 2023
- Proposals due: March 15, 2023 at 5:00 PM

- CDA considers proposals and identifies preferred developer: March 21, 2023
- Execution of ANE: 30 days after CDA selection of preferred developer
- Execution of DDA: June 29, 2023
- Closing: September 29, 2023, unless sooner designated in DDA

## **9. ADDITIONAL TERMS AND CONDITIONS:**

- If selected as the Preferred Developer, 5% of the offer will be required to be deposited with the CDA at the time the parties enter into an ANE. Deposit will be refundable in accordance with the terms of the ANE.
- In the event an ANE cannot be finalized within 30 days, the CDA reserves the right, in its sole discretion, to enter into negotiations with the next highest ranked Developer, call for new proposals, or discontinue this selection process.
- Any DDA resulting from this RFP shall be subject to final approval by the CDA.
- No respondent to this RFP shall offer any gratuities, favors, or anything of monetary value to any official or employee of the CDA or City of Chubbuck for the purpose of influencing consideration of this RFP.
- This RFP is not an offer, a contract, or a commitment of any kind by the CDA and does not commit the CDA to sell the property, enter into a DDA or to pay any cost incurred in the preparation of a proposal. The submission of a response to this RFP constitutes an invitation to negotiate with the CDA.
- All costs associated with the preparation of a proposal will be the responsibility of the Developer, including but not limited to costs of: delivery, express, parcel post, packing, cartage, insurance, license fees, permits, and bonds. The CDA shall not be liable for any costs incurred by respondents in the preparation or submission of a proposal or participation in the RFP process.
- Upon receipt by the CDA, all proposals, including any and all attachments to the proposals, will become the property of the CDA and subject to public disclosure. The CDA will have the right to copy, reproduce, or otherwise dispose of each proposal received. The CDA will be free to use as its own, without payment of any kind or liability therefore, any idea, scheme, technique, suggestion, layout, or plan received during the procurement process.
- Failure to provide any of the requested data within the specified submission period may cause the CDA, at its sole discretion, to reject the proposal or require the data to be promptly submitted.
- All facts and opinions stated in this RFP and in all supporting documents and data, are based on available information from a variety of sources. No representation or warranty is made with respect to this information.

- In the interest of a fair and equitable selection process, the CDA retains sole responsibility to determine the timing, arrangement and method for any presentations during the selection process. Prospective respondents and members of their team are cautioned not to undertake any activities or actions to promote or advertise their qualifications except in the course of Agency sponsored presentations.
- The CDA has no responsibility for any expenses incurred by a Developer in the course of responding and/or presenting this or subsequent proposals.
- The CDA may terminate the RFP process at any time, for any reason, with no requirement to disclose its reasoning.
- The CDA also reserves the right to reject any RFP response at any time, or to terminate any negotiations implied in this RFP or initiated subsequent to it.
- The CDA may accept such proposal as it deems to be in the public interest and furtherance of the purposes of the Idaho Urban Renewal Law, the Plan, it may proceed with further selection processes, or it may reject any or all submissions.
- The CDA may change any part of the RFP process at any time for any reason.
- Developer's participation in this RFP and any communications of any kind, by any individual, at any phase of the RFP process, should not be relied upon or construed as binding unless it is expressly incorporated into a DDA that is fully executed by the parties.
- While every effort will be made to ensure accurate information in this RFP, neither the CDA, the City of Chubbuck, nor any other public participant or partner, civic group or individual, nor any of their elected officials, officers, agents, employees or consultants, shall be responsible for the accuracy of any information provided to any person as part of this RFP process. All Developers are encouraged to independently verify the accuracy of any information provided. The use of any of this information in the preparation of a response to this request is at the sole risk of the Developer.

## **9. CONFIDENTIALITY AND PUBLIC RECORDS LAWS:**

- This RFP is a public process. Therefore, information and materials collected under the RFP are public records. The information that is received by the CDA may be subject to disclosure under the Idaho Public Records Act, Title 74, chapter 1. With the potential exception of some credit data, proprietary information or trade secrets (identified as such by the Developer in the response), it is anticipated that submissions to this RFP will contain little or no material that is exempt from disclosure under the Idaho Public Records Act. Any questions regarding the applicability of the Public Records Law should be addressed by your own legal counsel PRIOR TO SUBMISSION. The CDA will not

provide any opinion or guidance on whether or not any information or materials submitted in response to this RFP would be considered exempt from disclosure under Idaho's Public Records Act. Any proprietary or otherwise sensitive information contained in or with any proposals may be subject to potential disclosure.

- Accordingly, Developers should take the following steps with respect to any information believed to be exempt from disclosure or confidential. Developer shall segregate any proprietary information or trade secrets and provide an explanation as to why such information should not be deemed a public record, citing the applicable portion of the Idaho Public Records Act. On any items submitted with the RFP that the Developer believes are exempt from disclosure under the Idaho Public Records Act, clearly mark the upper right corner of each page of any such document or material with the word "Exempt". This alone does not mean the document is in fact exempt from disclosure, but the CDA will evaluate any request for exemption and keep the information confidential if permitted by Idaho law.

The CDA's disclosure of documents, or any portion of a document, submitted and marked as exempt from disclosure under the Idaho Public Records Act may depend upon official or judicial determinations, made pursuant to the Idaho Public Records Act. Developers, by replying to this RFP, agree to release and hold Agency harmless from any and all liability for disclosing any material or documents included in any proposals submitted to Agency.

**10. ABOUT THE CDA:** The CDA is the urban renewal agency formed by the City of Chubbuck, Idaho. Since the creation of its first urban renewal plan in 1992, the CDA has been committed to preventing and arresting deterioration of properties, creating a high-quality urban environment, strengthening the tax base by encouraging private development and investment, and planning and developing adequate facilities for parks, open space, and pedestrian and vehicular circulation. The CDA is governed by a seven-member Board of Commissioners which is currently comprised of one Chubbuck City Councilor, one Bannock County Commissioner, three community members, and two vacant seats. The CDA operates under urban renewal regulations of Idaho Code and in accordance with its adopted urban renewal plans. The subject property is located in the City's first urban renewal area, formally called the "Chubbuck Downtown Improvement Project," but informally more commonly referred to as the "1992 Plan." A copy of the plan is on file with the Idaho State Tax Commission and is available at <https://tax.idaho.gov/urbren/2017chubbuck.pdf>.

RFP Approved by Agency on January 17, 2023

## **EXHIBIT A: Legal Description of Subject Property**

**A strip of land 50 feet wide and 435 feet long lying in the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 10, Township 6 South, Range 34 East of the Boise Meridian, Bannock County, Idaho, being bounded and described as follows:**

**BEGINNING at the intersection of the present Westerly right of way boundary of the Oregon Short Line Railroad with the North line of said Section 10, said point being 1021.5 feet West of the Northeast corner of said Section 10;  
Thence Southerly along said present Westerly right of way boundary, being along a line which is 50 feet Westerly from and parallel to the center line of main track of said railroad for a distance of 435 feet;  
Thence Westerly at right angles 50 feet;  
Thence Northerly at right angles 435 feet to a point in the North line of said Section 10;  
Thence East along said North line 50 feet to the POINT OF BEGINNING.**

**Excepting Therefrom:**

**A parcel of land located in the Northeast  $\frac{1}{4}$  of Section 10, Township 6 South, Range 34 East, Boise Meridian and a portion of the parcel as described in Instrument No. 97007261 as recorded in the Bannock County Court House.**

**BEGINNING at the North  $\frac{1}{4}$  corner of Section 10, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho;  
Thence South 89°18'09" East, along the North line of said Section 10 for a distance of 413.667 meters (1357.17 feet) to the East 1/16th corner on the North line of said Section 10;  
Thence continuing South 89°18'09" East along the North line of said Section 10 for a distance of 72.445 meters (237.68 feet);  
Thence South 00°41'51" West for a distance of 7.620 meters (25.00 feet) to a point on the Southerly right of way line of Chubbuck Road said point being the TRUE POINT OF BEGINNING;**

**Thence South 89°18'09" East along the Southerly right of way line of Chubbuck Road for a distance of 15.253 meters (50.04 feet) to a point on the Westerly right of way line of the Union Pacific Railroad;  
Thence leaving said Southerly right of way line South 01°42'00" East, along said railroad right of way for a distance of 3.883 meters (12.74 feet);  
Thence North 89°18'09" West, parallel to the North line of said Section 10 for a distance of 15.253 meters (50.04 feet);  
Thence North 01°42'00" West for a distance of 3.883 meters (12.74 feet) to a point on the existing Southerly right of way line of Chubbuck Road said point being the TRUE POINT OF BEGINNING.**

**Exhibit B: Parcel Boundary per Bannock County Parcel Viewer**



(Property outlined in yellow)

**EXHIBIT C: Depictions of property taken July 2021**



*(Looking north from the south)*



*(Looking west from the east)*



## Exhibit E: Chubbuck Village Resources

1. City Council Resolution Adopting the Chubbuck Village Comprehensive Plan Chapter Amendment, contains new Chapter and appendices:  
<https://forms.cityofchubbuck.us/WebLink/DocView.aspx?id=795923&dbid=0&repo=chubbuck>
2. Complete Zoning Code for Chubbuck Village requirements found at following link:  
[https://codelibrary.amlegal.com/codes/chubbuckid/latest/chubbuck\\_id/0-0-0-12504](https://codelibrary.amlegal.com/codes/chubbuckid/latest/chubbuck_id/0-0-0-12504)
3. Property is subject to requirements of City Code, including but not limited to:
  - a. Chapter 16:  
[https://codelibrary.amlegal.com/codes/chubbuckid/latest/chubbuck\\_id/0-0-0-5656](https://codelibrary.amlegal.com/codes/chubbuckid/latest/chubbuck_id/0-0-0-5656)
  - b. Chapter 17:  
[https://codelibrary.amlegal.com/codes/chubbuckid/latest/chubbuck\\_id/0-0-0-5913](https://codelibrary.amlegal.com/codes/chubbuckid/latest/chubbuck_id/0-0-0-5913)
  - c. Chapter 18:  
[https://codelibrary.amlegal.com/codes/chubbuckid/latest/chubbuck\\_id/0-0-0-6874](https://codelibrary.amlegal.com/codes/chubbuckid/latest/chubbuck_id/0-0-0-6874)