

REQUEST FOR PROPOSALS *TO*

PURCHASE & REDEVELOP

PROPERTY *AT*

490 NORTH KINGSHIGHWAY *IN THE*

CENTRAL WEST END NEIGHBORHOOD

ISSUED BY:

LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS

ISSUED: **SEPTEMBER 28, 2020**

RESPONSE DEADLINE: **OPEN-ENDED**

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1.0 Introduction

The Land Clearance for Redevelopment Authority of the City of St. Louis (“LCRA”) in collaboration with Epstein Family Partnership (“Epstein Family”) is issuing this public Request for Proposals (“RFP”) seeking proposals (“Proposals”) to purchase and redevelop the property at 490 North Kingshighway (the “Property”), which currently consists of the structure shown above and an associated parking lot in the southeast quadrant of the intersection of North Kingshighway and McPherson Avenue in the Central West End neighborhood of St. Louis. The Epstein Family would also be open to a long-term building or land lease of the property.

The intention of this RFP is to solicit proposals from developers (“Respondents”) that will contract to purchase the Property from the Epstein Family to complete the redevelopment (the “Redevelopment”) of the Property according to provisions, terms, and conditions determined by the St. Louis Development Corporation (the “SLDC”) staff and Epstein Family, some of which are contained herein. Other terms and conditions may be developed in response to specific Proposals and incorporated into agreements that may be necessary to implement incentives for the Redevelopment.

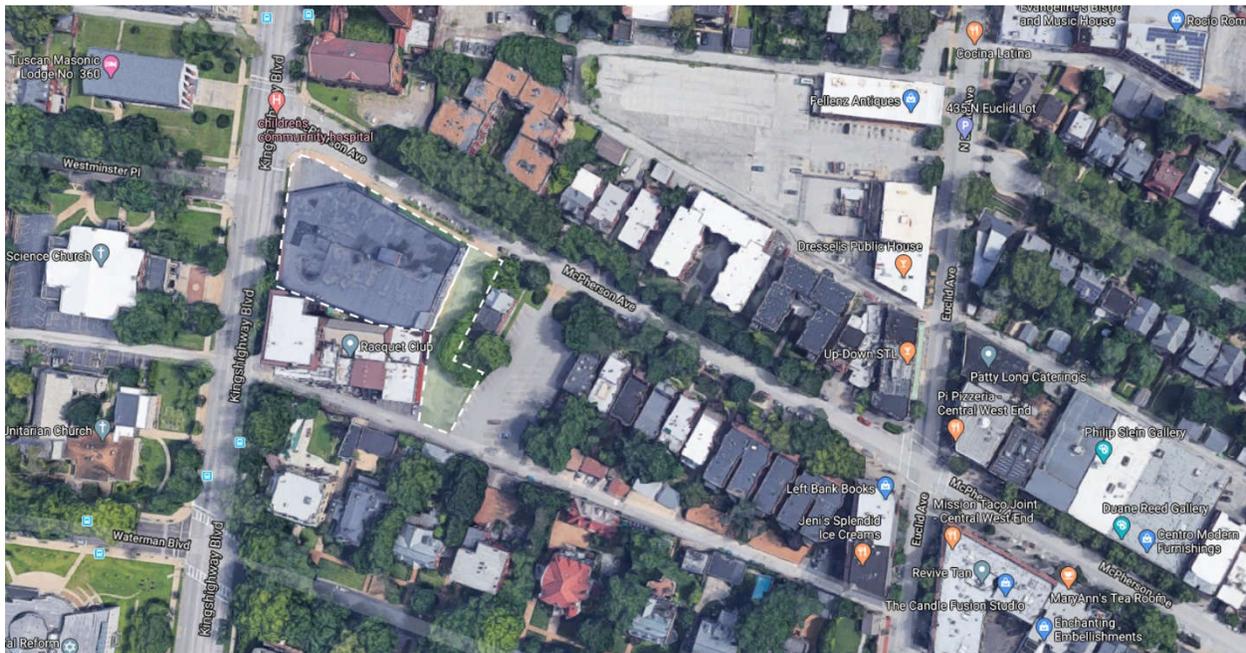
The Epstein Family has chosen to collaborate with LCRA and SLDC for this RFP with the intention to identify a proposal which most closely matches the highest and best use for the property. SLDC and LCRA are proactively working to create a clear path toward redevelopment of the property by engaging with neighborhood stakeholders (including the 28th Ward Alderperson), identifying any potential development obstacles and opportunities, and determining appropriate development incentives that will be supported by LCRA, SLDC, and the 28th Ward Alderperson.

This solicitation will remain open until a Respondent is selected or it is withdrawn.

2.0 The Property

LCRA, SLDC, and the Epstein Family are proactively working to attract developers to purchase and redevelop the property at 490 North Kingshighway. This brief overview provides general information on the Property and location for consideration by potential Respondents.

The Property includes two adjacent parcels (indicated by dotted outline) containing a total of 0.92 acre. The main parcel (0.7 acre) is roughly rectangular in shape and occupied almost entirely by a two-story brick building that is currently vacant, and a small parking area at the intersection of Kingshighway and McPherson. The adjacent parcel (0.22 acre) is irregularly shaped and currently utilized as surface parking.



The Property is centrally located, four blocks north of Forest Park and one block west of Euclid Avenue, at the intersection of North Kingshighway and McPherson in the City of St. Louis. The Property is very accessible by car, bus, and pedestrians and is located near the heart of the Central West End Neighborhood. The surrounding housing stock is amongst the most attractive in the City and includes historic mansions on private streets, luxury high-rise condominiums, upscale townhomes and multi-family apartment properties, most built over a century ago.

Kingshighway is the main thoroughfare connecting the Central West End to Interstate 64 about a mile south of the property. The corridor between the interstate and the Property includes Forest Park along the west and the BJC/Washington University Medical Center campus along the east. This

stretch of Kingshighway includes several high-rise apartment buildings, including the nearly complete 36-story 100 Above the Park, and Chase Park Plaza with luxury condominiums, hotel, movie theater, restaurants and event spaces. Both the historic Chase tower and the unique glass tower of 100 Above the Park are visible from almost all points of the City.

Euclid Avenue, one block west of the property, serves as the main commercial corridor of the neighborhood running almost a mile from the BJC/Washington University Medical Center on the south to Washington Avenue on the north. It is one of the most active neighborhood commercial corridors in the city and lined with stores, restaurants, apartments and homes. Notable tenants along the corridor include Whole Foods Market and Shake Shack. The Property is located one block west of the intersection of Euclid and McPherson, which is an active node of activity along the corridor including upscale restaurants such as Pi Pizzeria, Mission Taco, Salt and Smoke BBQ, and Jeni's Splendid Ice Creams. Other uses around the intersection include a vintage arcade bar, an independent book store and art galleries. In conjunction with the potential redevelopment of this site, the neighborhood Community Improvement District (CID) is considering a streetscape enhancement project to improve existing pedestrian access from Kingshighway to McPherson.

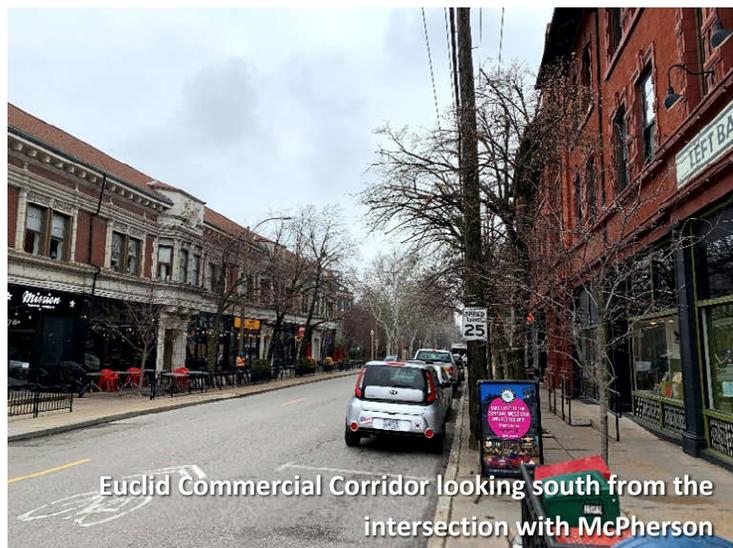
The two-story brick building was originally constructed as Buick dealership in 1925 (expanded in 1946) and contains about 50,000 square feet of gross building area largely constructed as warehouse space with



Northeast corner of Kingshighway and McPherson



Kingshighway looking south from the intersection with McPherson



Euclid Commercial Corridor looking south from the intersection with McPherson

open floor space, concrete floors, and concrete pillars. The roof is flat and covered with a rubber membrane. The first floor is partially finished with accessory office and retail space with original woodwork from the previous uses. A portion of the second floor has been finished as accessory office space. Automobile ramps connect the floors and roof, and an automobile elevator connects the first two floors. The roof is built to support car parking and has done so in the past. Most recently the building was utilized as an auto repair and parts business, beginning in the 1970s. The business recently closed and the building was vacated. Structurally, the building appears to be well maintained, though there was water leakage seen on both floors. The Epstein Family has indicated that the building was designed to support additional floors, though this fact has not been verified by SLDC.

The building is a contributing building to Holy Corners Historic District (National Registry of Historic Places). However, the building is listed as having “No Significance”. The district includes nine buildings including five churches and temples in a three block stretch of Kingshighway surrounding the McPherson Avenue intersection. Most of the buildings were built between 1902 and 1907, around the time of the St. Louis World’s Fair. All of the buildings are visible from the Property, including the immediately adjacent St. Louis Racquet Club. The Holy Corners Historic District is contained within the larger Central West End Neighborhood Historic District which is roughly bounded by Lindell Avenue on the south, Washington Avenue on the north, DeBaliviere Avenue on the West and Taylor Avenue on the east. As a result of the historic designation, the surrounding neighborhood has maintained much of its character from the height of the City’s national prominence earlier in the 20th Century. It also sets standards and expectations of new development that may be higher than in other areas of the City. This will be discussed in more detail in the next section of this RFP.

Previous use of the site as an automobile dealership, and most recently as an auto repair shop, may raise some concerns over potential environmental contamination. However, the current owner has removed underground tanks and underground lift equipment and has resolved most significant and expensive environmental remediation issues. Other minor environmental issues such as asbestos-containing building materials and lead-based paint may remain. A phase 1 environmental site assessment dated June 7, 2018 is available as part of the due diligence documentation accompanying this RFP (see below).

Two previous attempts to purchase and redevelop the building have fallen through prior to closing. A proposal to convert the building to self-storage use would have been denied an occupancy permit, since its use was not consistent with zoning and the Strategic Land Use Plan. A second option to purchase was with the intent to redevelop the site with a hotel use; however, the purchaser allowed the option to expire. The most recent negotiated purchase price for the building and site was for \$2.7 million. The owners of the property are open to price negotiation and lease or purchase structures.

Although not included as part of this RFP, there is potential to expand the site to accommodate a larger development. The adjacent home is utilized as a commercial office, and the Epstein Family maintains a good relationship with the owner. They currently have an agreement in place with the owner to match any potential offer on that property. The neighboring St. Louis Racquet Club owns the surface parking lot at 4946-50 McPherson Avenue (two parcels). None of these properties are currently listed for sale, but if assembled, the combined site would contain about 1.5 acres.

Additional photos of the Property, additional drawings, and other due diligence documentation for the Property can be accessed in this shared drive:

https://drive.google.com/drive/folders/1UFSC-EjT0fEFQ9uefv-0Vw3y0_jufy6E?usp=sharing

3.0 Redevelopment Options

Adaptive redevelopment of the site will be guided by five factors:

- Zoning and Strategic Land Use
- Historic Considerations
- Market Considerations
- Neighborhood Support
- City Development Incentives

Considering all of these factors, SLDC has determined the preferred redevelopment option to be an **upscale hotel**. Another supported use would be a **mixed-use residential building with ground floor retail**. Each of the factors above will be discussed below in relation to the preferred and supported uses and how they were used to come to these conclusions.

In general, the goal of SLDC is to maximize the density of the site while maintaining the character of the neighborhood. Increasing the visitor or residential density of the site will activate pedestrian activity on McPherson, support commercial activity along Euclid, and substantially increase tax revenue generated by the site.

3.1 Zoning and Strategic Land Use Considerations

The parcels comprising the Property (and adjacent parcels) are all zoned “E” (Multiple Family Residential). Multi-family buildings are permitted by right within this zoning district. Hotel use on the property is a conditional use subject to a conditional use hearing, but NOT subject to citizen petition. A ground floor retail use in either a multi-family or hotel development would require a zoning variance also subject to a board hearing.

The “E” district requires one parking space per residential unit or one space per four hotel rooms. A building height of eight stories or 100 feet is permitted and is consistent with other buildings along the corridor. Additional floors or height may be permitted but are subject to additional set-back requirements. A multi-family residential property shall have a lot area of not less than 250 square feet per unit. At this density the property’s zoning would support 174 units. Commercial units including hotel cannot have a floor area ratio exceeding 2.0. While lower density residential uses such as single-family homes, town homes or row houses are permitted in an “E” district, these uses do not meet the development goals SLDC has for the site.

The subject is also located within a Specialty Mixed Use Area (SMUA) in the City’s Strategic Land Use Plan. This plan defines the general use and character of development and uses in the city. SMUAs are intended to plan or preserve active urban districts with a mixture of uses and building types.

Both the zoning and strategic land-use of the site support a high-density residential or hospitality uses with street front retail or dining uses.

Through this RFP process, a selected proposal will have the support of the Alderperson and SLDC in terms of any conditional use or zoning change that may be required.

3.2 Historic Considerations

As mentioned previously, the existing building is a contributing building within the Holy Corners Historic District. The immediate advantage to this designation is that redevelopment of the existing building could potentially utilize both state and historic tax credits to offset up to 45 percent of the qualified historic costs of the redevelopment. In this, case adaptive reuse as a hotel would be preferable, since permanent job creation is a consideration when applying for Missouri state historic tax credits.

This does not preclude a proposal to remove the building to achieve the highest and best use for the property. However, given the historic designation of both the Holy Corners District and surrounding Central West End, the design of any newly constructed building will be held to a high standard and ideally would be viewed as a new architectural asset to the neighborhood. To be clear, a new building does not need to be a historic replica, but should contribute architecturally to the neighborhood.

To summarize, proposals for historic rehabilitation of the existing building AND proposals for new construction on the site (or some combination of both) will be considered. The RFP process is in place to ensure that the selected proposal is well-positioned to either utilize historic tax credits or gain the necessary approvals for demolition to allow for a newly constructed building.

Additional information about the Holy Corners and Central West End Historic Districts are included in the shared due diligence folder.

3.3 Market Considerations

3.3.1 Hotel

In 2019 the City engaged a consultant to do an area-wide market study for hotel development in the Central Corridor of St. Louis. Given the attractiveness of the Central West End neighborhood to visitors and proximity to both the BJC/Washington University Medical Center and Cortex Innovation District further to the south, there is a lack of upscale lifestyle hotels within the neighborhood. The Chase Park Plaza is the largest full-service property in the neighborhood, and a 200-room AC Hotel is currently under construction. Some key passages from the study relating to the submarket are highlighted below:

- *“The Cortex/CWE sub-market is the only area where any hotels are achieving ADRs and occupancies above the respective national brand averages.*
- *“The Cortex/CWE sub-market supply is positioned to absorb moderate hotel room night growth for the foreseeable future. However, additional rooms will be needed to accommodate the potential demand.*
- *“The property types most appropriate for development include additional life-style hotels; stronger branded select-service hotels; an additional high-end extended-stay hotel; and additional mid-priced extended-stay hotels.*
- *“Perhaps the greatest challenge is finding a site that cannot be better used as the location for another office building for start-up or existing tech companies; as a site for a new research or production facility; or to expand the services of the medical centers.”*

The full market study is included in the shared due diligence folder.

Given these market factors the property is particularly well-suited for hotel use. And from the City and neighborhood perspective, the consistent flow of new visitors to the area will provide strong support to the neighborhood retail, dining and entertainment uses within walking distance of the site.

3.3.2 Apartment

No similar comprehensive apartment market study has been commissioned by the city. But, the Central West End submarket is generally considered the most desirable within the city with some of the region's highest rents. Notably, the 36-story 100 Above the Park opened in September of 2020 and was 46 percent pre-leased with the highest rents in the region (\$3.00+/SF). The Orion Apartments is one of the newest and largest apartment properties in the neighborhood with rents averaging \$2.75 per square foot with occupancy of 96 percent. Recently completed and planned properties in the neighborhood generally have rents starting around \$2.25 per square foot. Prior to the COVID pandemic, region-wide vacancy had fallen 20 basis points from the previous year and rents had increased over 5.0 percent. Further, net absorption out-paced completions for two straight years and is projected do so again in 2020.

Three apartment market reports are included in the shared due diligence folder.

3.4 Neighborhood Considerations

While neighborhood support of a proposed development on the site is not expressly required, any zoning change, use of city development incentives, or conditional use will require a public hearing and/or aldermanic support. The Central West End community has traditionally weighed in formally or informally on large development proposals in the past. This input has resulted in positive changes to development plans, and numerous large projects have been developed through this process. This RFP has been developed with the cooperation and support of the 28th Ward Alderperson. It is SLDC's intent that through the RFP process the selected proposal will have the support of the Alderperson and general support from neighborhood stakeholders.

3.5 City Development Incentives

For projects over \$1 million, any related development incentive request will be analyzed by SLDC staff based on its established incentive model. This analysis includes both a "but for" test and cost-benefit analysis, determining the project's need for the incentive and its fiscal benefit to the city. A more detailed description of this analysis is included in the shared due diligence folder.

Respondents should understand that analysis looks favorably on both the physical density of the development as well as its "fiscal density", or its ability to generate tax revenues for the city from all sources (property taxes, sales taxes, hotel taxes, earnings taxes, etc.) A six-story residential building will generate more fiscal benefit to the city than a three-story building (higher property taxes, more earnings taxes from residents). Similarly, a six-story hotel will likely generate more fiscal benefit than a similar residential building (higher commercial property tax rates, hotel room taxes, employee earnings taxes). Including ground-floor retail or dining uses will also increase the fiscal benefit to the city (retail sales taxes).

The inclusion of a projected operating pro forma and sources and uses are required as part of responses to the RFP. This will provide SLDC staff and the selection committee an initial indication of likelihood development incentives may be available to a project. However, a more detailed analysis of the selected project will occur as part of any pre-development process.

4.0 Respondent Commitments

Each Respondent must affirmatively state the following in its Proposal:

- (1) Respondent will enter into a contract to purchase or option to purchase the Property at 490 North Kingshighway (state the purchase price proposed for the Property) from the Epstein Family on terms acceptable to the Epstein Family; and
- (2) Respondent will seek any requested development incentive package* through the LCRA and / or the City of St. Louis Board of Aldermen (the “Board of Aldermen”) with staff of SLDC as part of the redevelopment process but Respondent understands and acknowledges that the availability of any incentive is contingent upon approval by the governing bodies of the LCRA and the Board of Aldermen and that incentives requested may or may not be available; and
- (3) Respondent will, as requested by SLDC staff, complete a variety of pre-contractual review(s) and negotiations with the staff of SLDC on behalf of the LCRA and with the Epstein Family, as well as with any other City board that may be involved in the proposed redevelopment and understands and agrees that such reviews may include Architectural/Core, Urban Design and Economic/Financial reviews and that if such reviews do not result in outcomes acceptable to SLDC staff, negotiations with respect to incentives may be terminated. Respondent further agrees to submit review-related materials to SLDC staff as requested; and
- (4) Subsequent to approvals by the LCRA, the Epstein Family and the Board of Aldermen, if such approvals are secured, Respondent will enter into a Redevelopment Agreement with LCRA requiring the Respondent to redevelop the Property according to requirements negotiated with SLDC staff and the Epstein Family and will complete the improvements within a maximum of two (2) years from the date of the Redevelopment Agreement.
- (5) Respondent agrees to pay and be responsible for all fees, if any, of the State of Missouri, City of St. Louis, or any state or city agency or board required in connection with the Proposal, the Redevelopment, applications or incentives associated with the Redevelopment of the Property.

**In order to support this Redevelopment, staff at the SLDC will work with the successful Respondent, LCRA and Board of Aldermen to pass the supportive plans, resolutions, and board bills.*

5.0 Required Contents of Any Proposal

Each Respondent must provide, at a minimum, the following information:

- (1) Primary **contact information** (name, phone, address, email) for the Respondent; and
- (2) Confirmation that the Respondent will **purchase and redevelop** the Property (based on the specific intentions of the respondent); and
- (3) A brief **summary of qualifications** (including full development team); and
- (4) A brief **description of past or current projects undertaken by the Respondent similar to the Redevelopment**; and
- (5) A brief **narrative of the proposed Redevelopment** highlighting how it meets the redevelopment goals (Section 4.0) and identifying the type of project; and
- (6) A narrative of the **proposed improvements and investments** in the Property; and
- (7) A narrative of the **architectural approach and character** of the Redevelopment; and
- (8) A narrative of the **sustainable development practices** to be utilized during the building and/or operation of the Redevelopment; and
- (9) An estimate of **proposed job creation** (if applicable) resulting from the Redevelopment; and
- (10) A projected **operating pro forma**; and
- (11) A list of **sources and uses of funds** to be used in the Redevelopment; and
- (12) Evidence to **support financing capability and the financial strength / capacity to complete the proposed Redevelopment** as part of any agreement, including any financial commitment letters from lenders, equity partners, or contributors and/or other sources of financing. *Given the current market uncertainty due to the COVID-19 pandemic, we understand lender and equity partner commitments may be difficult to obtain prior the submittal deadline. In absence of such commitments, please attempt to demonstrate interest from these partners in the project. Qualifications and experience (items 3 and 4) will also be considered as demonstration of the financial capability of the respondent to complete the proposed Redevelopment.*
- (13) An estimated **timeline for completion of the proposed Redevelopment**; and
- (14) If the respondent intends to utilize City development incentives, confirmation that the Respondent and its' general contractor will provide and **adhere to an M/WBE participation plan**, per Section 9.0 below; and

6.0 Required Form of the Proposal

- (1) All proposals must be clearly marked "**Response to Request to Purchase and Redevelop the Property at 490 North Kingshighway**"; and
- (2) All proposals **must be complete and include all of the information** requested in Section 5.0 of this RFP; and
- (3) All proposals **must be in booklet form**, stapled or bound, on eight and one-half inch (8 ½") by eleven inch (11") white paper printed on one or both sides, with a minimum of 11pt font; and
- (4) All proposals must clearly **identify the respondent (including primary contact information) on the front cover**, which may be released by LCRA as public information upon receipt of the proposal; and
- (5) Each Respondent must submit **five (5) complete copies** of each proposal.

NOTE: LCRA COMPLIES WITH MISSOURI'S "SUNSHINE LAW" (CHAPTER 610 RSMo.). WHILE PROPOSALS MAY BE WITHHELD FROM PUBLIC DISCLOSURE UNDER THE "REAL ESTATE NEGOTIATIONS" EXEMPTION (SECTION 610.021(2) RSMo.) OR THE SEALED PROPOSAL EXCEPTION (SECTION 610.021(12) RSMo.) DURING THE

EVALUATION PROCESS, ALL PROPOSAL MATERIALS MAY BECOME PUBLIC INFORMATION AT THE CONCLUSION OF THE PROCESS. FURTHER, LCRA CANNOT GUARANTEE CONFIDENTIALITY OF ANY MATERIALS DURING THE EVALUATION PROCESS IN THE EVENT OF A LEGAL CHALLENGE. THUS, PROPOSALS AND COMMUNICATIONS EXCHANGED IN RESPONSE TO THIS RFP SHOULD BE ASSUMED TO BE POTENTIALLY SUBJECT TO PUBLIC DISCLOSURE. LCRA, ACTING IN ITS SOLE, UNRESTRICTED DISCRETION, SHALL DETERMINE THE STRINGENCY AND/OR STRINGENCY WITH WHICH IT WILL OPPOSE, IF AT ALL, LEGAL CHALLENGES TO NONDISCLOSURE OF FINANCIAL OR OTHER INFORMATION INCLUDED IN RESPONSES.

IT IS REQUIRED THAT PROPOSALS FOLLOW THE ABOVE FORMAT AND INCLUDE ALL REQUESTED INFORMATION. THE PROVISION OF SUPPLEMENTAL AND ADDITIONAL INFORMATION TO ILLUSTRATE OR CLARIFY RESPONSES IS ENCOURAGED. BY SUBMITTING A PROPOSAL, RESPONDENT ACKNOWLEDGES THAT, IN THE CASE OF CONTROVERSY SURROUNDING THE DEFINITION OF PUBLIC VS. PRIVATE INFORMATION, ANY AND ALL INFORMATION SUBMITTED BY RESPONDENT MAY BE REQUIRED TO BE DISCLOSED TO THE PUBLIC. LCRA RESERVES THE RIGHT TO REQUEST ADDITIONAL INFORMATION FROM RESPONDENTS AND TO CONSIDER SUCH ADDITIONAL INFORMATION PROVIDED IN SELECTING AN OPERATOR.

Sealed proposals must be addressed as follows and delivered to the following address. Respondents should ask for and receive a receipt for hand-delivered sealed proposals, and respondents should maintain delivery receipts from paid delivery services.

Otis Williams
St. Louis Development Corporation
1520 Market, Suite 2000
St. Louis, MO 63103
WilliamsOt@stlouis-mo.gov

7.0 Selection Process and Criteria

Responses will be reviewed by a selection committee (the "Committee") and the Epstein Family as they are received. The Committee shall evaluate the Proposals and may recommend, with the Epstein Family's concurrence, a selection to the LCRA Board of Commissioners with respect to incentives. However, the Committee and Epstein Family, individually or collectively, reserve the right to reject any or all proposals for any reason whatsoever—see Section 11 below—and the Epstein Family retains the unilateral right, exercised in the Epstein Family's sole discretion, to decline to enter into a purchase agreement for the Property with any Respondent. If recommended by SLDC staff and accepted by the Epstein Family, the potentially successful Respondent will proceed through the LCRA process. A contract to purchase and subsequent Redevelopment Agreement will be negotiated with the potentially successful Respondent by LCRA and the Epstein Family; however, if the Epstein Family determines that it is not possible to successfully negotiate a purchase agreement with the selected Respondent or LCRA determines that it is not possible to successfully negotiate a Redevelopment Agreement with the selected Respondent, the Epstein Family and/or LCRA may discontinue negotiations.

The committee shall use the following criteria in its selection process [to evaluate submitted proposals]:

- Agreement to the **Respondent commitments** in the Proposal;
- The **experience and qualifications of the Respondent** to redevelop the Property;
- The **Respondent's financial strength/capacity to purchase and redevelop** the Property;
- The **strength and originality of the Respondent's proposed uses** for Property;
- The **scale and density of the proposed Redevelopment** relative to uses, TOD, etc.;
- The **sustainability practices** used during construction and/or operation of the Property;
- The **character and creativity of the design intent** of the Redevelopment;
- The **timeline for completion** of the Redevelopment of the Property; and
- The **proposed amount of investment** in the Property.

The Committee and/or Epstein Family may add other selection criteria during the selection process, and may seek input from community entities and organizations that are working in or near the area.

8.0 Questions Regarding This RFP

Any and all questions or requests for clarification with respect to this RFP or additional information about the site and facility must be submitted in writing or via e-mail to:

Matt Bauer
Planner/Financial Analyst, Economic Development
St. Louis Development Corporation
1520 Market, Suite 2000
St. Louis, MO 63103
bauerm@stlouis-mo.gov

As questions are received, the LCRA will issue a timely response. LCRA shall not be obligated to respond to any question. Responses to all questions will be sent electronically to the questioner and posted on line at:

<https://www.stlouis-mo.gov/government/departments/sldc/procurement/index.cfm>

9.0 MBE/WBE Participation

Within any redevelopment agreement, the selected Respondent shall comply with Ordinance Nos. 69427, 70767 and 71094 which require contractors and consultants to seek, through good-faith efforts, the involvement of MBE's and WBE's with a goal of participation of least 25% and 7%, respectively, for the project. For additional information, please visit:

<https://www.stlouis-mo.gov/government/departments/sldc/minority-business-development.cfm>

10.0 Unauthorized Alien Employees

Within any redevelopment agreement, the selected respondent shall, pursuant to the provisions of Sections 285.525 through 285.555 of the revised Statutes of Missouri, 2016, as amended, by sworn Affidavit and provision of documentation, affirm its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the agreement or lease. Respondent shall sign an Affidavit affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the agreement or lease pursuant to the above-stated Statutes.

11.0 General Conditions for Submission of Proposal

LCRA and the Epstein Family reserve the right, individually and collectively, to reject any or all Proposals for any reason whatsoever; to select one or more Respondents; to void or reissue this RFP, to terminate the review process and/or terminate negotiations at any time; to revise any conditions and stipulations contained herein, as convenient, desirable or necessary; to further negotiate fees, rates and financial arrangements, etc; to establish further criteria for selection; to ask Respondents to submit additional information or evidence of their qualifications and experience; to waive informalities in the proposals and in the proposal process; to negotiate with successful Respondents; all in each of LCRA's and the Epstein Family's sole discretion. Through submittal, the Respondent is indicating that all information provided is true and correct. The City of St. Louis, SLDC, LCRA, and the Epstein Family are not responsible for any cost incurred by any Respondent in the submission of its Proposal or in taking any action thereafter.