

Schedule 10
Request For Proposals for the Purchase and Development of
1322-1336 E. 12th Street

Proposer Submittal Checklist* and Signature Page

*Please refer to all RFP documents, schedules, and addenda for complete guidelines on proposal submittal.

- _____ Please submit two original copies (clearly marked “original”) and one digital copy (on CD or flash drive) of the entire required submission, formatted and sealed according to RFP document, Section IX (“Submittal Instructions”).
- _____ Please submit a cashier’s check in the amount of \$10,000.00, payable to Independence Title Company, as Proposal Security to be included in the sealed proposal submission.

Proposal must be organized in the following format and sequence, with dividers between each section:

- _____ (i) Front cover, indicating Proposer’s name, contact information, date of submittal, and the Property address.
- _____ (ii) This Checklist (**Schedule 10**), including the following pages completed and signed by Proposer, and if applicable, by any broker(s) or agent(s) representing Proposer.
- _____ (1) Executive summary of two pages or less, declaring the Proposer’s intended development of the Property, **the proposed purchase price**, and a concise summary of the Proposal.
- _____ (2) Project Development Plan, specifically addressing the City’s Project Goals and how the proposed development will satisfy those goals. (Please refer to RFP document, Section II (“Project Goals”), and **Schedule of Criteria** provided as **Schedule 2.**) The document must set forth a detailed plan that provides, **at minimum**, all information requested in RFP document, Section VIII, Subsection C (“RFP Submission Format: Project Development Plan”).
- _____ (3) Development Entity information, as required and explained by RFP document, Section VIII, Subsection D (“RFP Submission Format: Development Entity”).
- _____ (4) Corporation & Partnership Documentation, as applicable, discussed in RFP document, Section VIII, Subsection E (“RFP Submission Format: Corporation & Partnership Authority Documents”); acceptable forms of Corporate Resolution provided as **Schedule 6 (A, B or C).**

- _____ (5) Development Team Experience information with reference and contact information, as required and explained by RFP document, Section VIII, Subsection E (“RFP Submission Format: Development Team Experience”) and **Schedule of Criteria** provided as **Schedule 2** (Subsection C(2): “Development Experience”).
- _____ (6) Financial Capacity and Capability information, as required and explained by RFP document, Section VIII, Subsection F (“RFP Submission Format: Financial Capacity and Capability”) and **Schedule of Criteria** provided as **Schedule 2** (Subsection C(3): “Financial Capacity and Capability”). This entire section should be stamped “Confidential” on each page, submitted in a separate sealed envelope, and included with the RFP submission.
- _____ (7) Executed Purchase and Sale Agreement (acceptable form available as **Schedule 5**).
- _____ (8) Executed Non-Discrimination Certification (acceptable form available as **Schedule 8**).
- _____ (9) Executed Affidavit of Non-Collusion, Non-Conflict of Interest, and Anti-Lobbying (acceptable form available as **Schedule 9**).
- _____ (10) **Schedule of Criteria** provided as **Schedule 2**, completed as a checklist and notated by Proposer as necessary and applicable, and initialed on the top right corner of each page by the Proposer. Please note that completion and/or notation of Schedule 2 does not constitute or suffice as a submittal of any information required or requested by this RFP, its exhibits and schedules.

To be completed by Proposer:

The undersigned Proposer affirms that they are duly authorized to submit this proposal, that this proposal has not been prepared in collusion with any other firm, and that the contents of this proposal have not been and shall not be communicated to any other entity prior to the award of sale of the Property by the Austin City Council.

Proposer affirms that they are not currently in violation of any City ordinance or previously failed to properly and timely perform its obligations under a contract with the City. If the Proposer cannot affirmatively swear and subscribe to the foregoing statements, the Proposer shall attach a detailed written explanation.

Proposer represents and warrants to City that either (i) Proposer has not engaged any broker or agent in connection with the transactions contemplated by this RFP or (ii) any such broker or agent has been engaged under a separate written agreement with Proposer, and will be independently compensated by Proposer.

Proposer acknowledges that the Property is offered for sale *"AS IS, WHERE IS, WITH ANY AND ALL FAULTS."*

Proposer affirms that this submittal constitutes an irrevocable proposal on the part of the Proposer to purchase the Property on the terms stated in this proposal, until such time as Seller announces its selection and/or rejection of the proposal. In addition, submission of an Proposal constitutes a legally binding commitment of the Proposer to provide such further information as Seller may reasonably request in connection with Seller's evaluation of the proposal and Proposer, and to enter in good faith final negotiations to affect the Proposer's purchase of the Property, if the proposal is accepted by Seller.

Proposer acknowledges that it is not relying on any representation, warranty, statement or other assertion contained in this Request For Proposals or made by Seller or the Seller's Representative, or any employee, agent or representative of either of them, and that the Proposer is relying solely on the Proposer's own examination of the Property and that of the Proposer's employees, agents, representatives and consultants.

Proposer acknowledges that it is the responsibility of Proposer, before submitting this proposal, to ascertain if the City has issued any notices, clarifications, addenda, or other communication to Proposers.

Proposer affirms that all information provided in this proposal submittal is true and complete to the best of its knowledge and ability, and that Proposer has read and understood all information and instructions provided in the 1322-1336 E. 12th Street RFP document, its schedules and addenda.

SIGNATURE: _____

DATE: _____

NAME: _____

TITLE: _____

ENTITY: _____

To be completed by Agent or Broker engaged by Proposer (if applicable):

The undersigned Real Estate Broker was engaged by Proposer and is signing this application to evidence its agreement that it will look solely to the Proposer for payment of its commission, and that it will not make any claim against the Deposit, Purchase Price, or any other agreed terms to be paid or produced by Proposer to Seller, should this Proposer's proposal be selected by the Seller.

SIGNATURE: _____

DATE: _____

NAME: _____

TITLE: _____

ENTITY: _____