



Request for Expression of Interest Loveland Colorado Whitewater Adventure Park and Resort



Solicitation Number: 2021-95

Description: City of Loveland, Colorado Development Opportunity

Recording Date: August 24, 2021

Purpose

The City of Loveland (City) is seeking to promote and facilitate a private / public partnership to complete the development of a Whitewater Adventure Park and Resort. The intent of this Request for Expression of Interest (RFEI) is to provide an open and transparent process for the City to solicit and select investors interested in this development project. While the City intends to select a respondent to this RFEI, the issuance of this RFEI does not constitute a commitment by the City to issue a Request for Proposals (RFP), award a contract, or pay any costs incurred by a firm in the preparation of a response to the RFEI. The City reserves the right to engage in discussions with any of the respondents to this RFEI to explore the viability of, and potentially commit to, a development arrangement or partnership and/or to negotiate a potential memorandum of understanding and/or a definitive agreement.

Background

The State of Colorado (State) passed the Colorado Regional Tourism Act C.R.S. 24-46-301 in 2009 to help fund large tourism projects to attract new visitors and increase out-of-state visitor spending after the 2008 Great Recession. In 2015, four Northern Colorado regional entities (City of Loveland, Larimer County, Town of Estes Park, and Town of Windsor) united to submit a joint application for four unique tourism projects. The State's Economic Development Commission (EDC) approved the RTA application in December 2015 for State sales tax increment revenue. As a result of this award and in compliance with State law the Northern Colorado Regional Tourism Authority (NCRTA) was formed in 2016.

As with many developments, the process has been very dynamic with project elements changing and a need to adapt to economic conditions and market trends. In 2020, the Windsor project withdrew and over the next year the two Loveland projects became a single project structure - the Loveland Whitewater Adventure Park and Resort. The Stanley Film Center project in Estes Park separated its financing from the NCRTA and is pursuing its development and financing through the Aurora Urban Renewal Authority.

Opportunity

The City is open to consideration of a variety of options, creative approaches, and partnership configurations to best leverage the State pledge of sales tax increment revenue and the City's pledge of revenues which, includes on-site municipal sales tax and lodging facilities property tax increment revenues and a portion of lodging tax revenues generated on-site. Time is of the essence as the State tax increment pledge is conditioned on meeting specific terms demonstrating substantial work has commenced on the Loveland project by November 12, 2021.

The City is requesting expressions of interest to complete the design, financing and operation needs associated with this project. This request does not in any way obligate or commit respondents to participate in any project with the City.



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Interested parties are highly encouraged to submit a RFEI. The City also reserves the right to engage in discussions with any of the respondents to this RFEI to explore the viability of a development arrangement or partnership and/or to select a respondent to negotiate a potential memorandum of understanding and/or a definitive agreement.

Scope

In 2020, the Loveland Whitewater Adventure Park and Resort development was integrated into a single project consisting of 330 full and limited service hotel rooms adjacent to an indoor waterpark and a conference and meeting space. The outdoor whitewater course features class 4 rapids with additional site amenities such as zip lines, climbing wall and an outdoor event stage. The project elements including minimum size requirements are in these attachments: Loveland Whitewater Park Project Information and Amended Resolution No. 4.

The approximately 40 acre site under consideration for the project is within a Regional Activity Center as established in the City's Comprehensive Plan. The site is intended to host regional commercial and service employers and is situated near major intersections of interstate or state highways. The City is open to consideration of other sites within the Loveland regional tourism zone (RTZ) as defined on the Loveland RTZ map attachment.

Attachments (separate files)

1. Loveland Whitewater Park Project Information
2. Amended Resolution No. 4
3. Loveland Regional Tourism Zone (RTZ) map
4. Loveland, Colorado 2021

Proposal Instructions

Responses to this RFEI must be addressed to the City Purchasing Division at: bids@cityofloveland.org.

- *Your email shall state "**Response to Loveland Whitewater Adventure Park and Resort RFEI**" in the subject line. Please note that individual email responses to this request are limited to a maximum of 25 MB capacity. If your submission is greater than 25MB you can submit multiple files in multiple emails which shall be numbered to ensure completeness. Your electronic file shall be one (1) .pdf file only; NO ZIP FILES ALLOWED. Electronic Submittals must be received at the e-mail provided above. Submittals sent to any other email address will NOT be forwarded or accepted.*
- Responses will be accepted until 2:00 p.m. Mountain Time, Tuesday, August 24, 2021, at which time they will be recorded.
- All questions regarding this RFEI must be in writing and sent to Annette Gilbert, Executive Assistant with the City Economic Development Department, at annette.gilbert@cityofloveland.org. Questions will be accepted until 5:00 p.m. Mountain Time, August 17, 2021. Interested firms shall not contact anyone other than the contact listed above regarding the RFEI or any associated information during the solicitation and selection process. Firms who communicate with other City staff members or elected officials regarding the RFEI during the solicitation and selection may be disqualified from consideration.



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- All questions received by the question deadline stated above will be responded to via Addendum, which will be published at Rocky Mountain e-Purchasing System (www.bidnetdirect.com/colorado) and at www.lovelandeconomicdevelopment.org.
- All prospective respondents shall comply with the requirements, conditions, and specifications contained within this RFEI. Failure to do so may result in rejection of the response.
- There will be no public opening; the City will open and consider all responses privately. The City will provide to the public upon request a list of those institutions that have submitted a response.
- The City shall select the response that is most advantageous to the City, as determined by the City in its sole discretion. The City reserves the right to reject any or all responses and waive any informalities therein and to accept or reject any portion of the response if deemed to be in the best interest of the City to do so.
- A City evaluation committee will review all responses received and select the respondent it believes is the most qualified and most advantageous to the City.
- Responsibility for timely submittal and routing of responses, prior to recording, lies solely with the respondent. Responses received after the closing time specified will not be accepted.

The City is subject to section 24-72-201 et seq. of the Colorado Revised Statutes, the Colorado Open Records Act. If you object to the disclosure of any confidential or privileged information as such is defined in the Colorado Open Records Act, any such pages must be marked confidential and submitted as outlined below in the Submittal Instructions. If you fail to mark the documents confidential and fail to include the explanation, any objection to the release of any information will be deemed waived by the City.

Please note that your objection will be considered, but is not binding on the City. The City is required to make a determination under the Colorado Open Records Act, and may only withhold documents that are confidential under the law. If the City releases documents marked as confidential in compliance with the Colorado Open Records Act, the respondent waives any claims for liability or damages.

The City of Loveland is committed to providing an equal opportunity for services, programs and activities and does not discriminate on the basis of disability, race, age, color, national origin, religion, sexual orientation or gender. For more information on non-discrimination or for translation assistance, contact the City's Title VI Coordinator at TitleSix@cityofloveland.org or 970-962-2372. The City will make reasonable accommodations for respondents in accordance with the Americans with Disabilities Act (ADA). For more information on ADA or accommodations, contact the City's ADA Coordinator at jason.smitherman@cityofloveland.org or 970-962-3319.

“La Ciudad de Loveland está comprometida a proporcionar igualdad de oportunidades para losservicios, programas y actividades y no discriminar en base a discapacidad, raza, edad, color, origen nacional, religión, orientación sexual o género. Para más información sobre la no discriminación o para asistencia en traducción, contacte al Coordinador Título VI de la Ciudad al TitleSix@cityofloveland.org o al 970-962-2372. La Ciudad realizará las acomodaciones razonables para los Proposeres de acuerdo con la Ley de Discapacidades para Americanos



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(ADA). Para más información sobre ADA o acomodaciones, contacte al Coordinador de ADA de la Ciudad: jason.smitherman@cityofloveland.org o al 970-962-3319.

Response Submittals

Please submit your response (via email as identified above), addressing, at a minimum, each of the following items, in the order outlined below.

1) Letter of Interest

- a. Include the name of submitting firm/team, address, telephone number, name of contact person and the title of the RFEI.
- b. Provide a description of the submitting firms/entities current legal structure (i.e., Corporation, Partnership, Sole Proprietor, Joint Venture, etc.).
- c. Expression of interest in the development or partnership opportunities, as previously outlined in this RFEI. These could include third-party partnership roles, such as equity/ownership positions, development, management/operations, naming rights/sponsorship, and/or use agreements.
- d. Identification of the type of development and/or partnership opportunities that the responding firm/team could have the capability to deliver, along with additional information that assists in highlighting and clarifying potential possible concepts, structures, funding, construction and architect relationships, and creative approaches that could benefit the overall project and the City's investments in the project. The respondent is not committed to any specific partnership strategy or role. Please provide as much detail on areas of interest and potential partnership structures/strategies as possible.
- e. Letter must be signed by an individual who is authorized to certify, on behalf of the submitting firm/team, that all statements in the submittal are true and correct. The letter must indicate the title or position that the individual holds in the firm and must include the federal tax I.D. number of all firms associated with the submittal.
- f. Any information, proposed concepts, or terms provided pursuant to this RFEI will not be binding and will be for reference only.

Items could include:

1. Additional information about relevant project experience and past project examples and the benefits of their frameworks.
2. Concept(s) for potential development and funding opportunities and agreement and term frameworks.
3. Concept(s) for potential contractual management/operations and lease/agreement term frameworks.
4. Concept(s) relating to promotion, tenant, and programmatic opportunities.
5. Other concepts or creative implementations that could benefit the project and serve the City's desired objectives.

2) Additional Information required:

- a. A profile of your organization(s), principal officers, and organizational structure. Submitting firms/teams should identify and distinguish between its own experience and qualifications and that of any parent entity, predecessor, and/or wholly owned or partially owned subsidiary of the submitting firm.



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- b. A copy of any organization profile, sales brochure, or other documentary information pertaining to your organization.
- c. Resumes of key personnel and principals of the organization.
- d. Audited and certified financial statements for your organization’s last three - five years of operation, or other similar statement or information indicating financial capacity and capability. Please submit these in a separate file marked confidential.
- e. History of facility development, management, sponsorship, and/or public-private partnership (P3) experience over the last three to five years, with an emphasis on similar projects. Information provided should include a description of services provided, examples of successful strategies, with particular attention to:
 - i. Professional references from other governments or similar entities with whom the submitting firm/team has development, management, and/or P3 experience within the last three to five years, including contact name(s), address(es), telephone number(s), and industry/facility/project type.
 - ii. An explanation of your entity’s experience in working with public entities, including cooperative efforts, philosophy, and results.
 - iii. Other information that submitting firms/teams believe could be helpful to the City in their planning and evaluation of the qualifications and suitability of candidate firms/teams.

Evaluation Criteria

The City, at its sole discretion, shall determine whether particular respondents have the basic qualifications to complete the project. An evaluation committee comprised of members selected by the City will evaluate the responses. Members of the evaluation committee will review and rate each response based on the following criteria, as applicable. The rating scale shall be from 1 to 5, with 1 being a poor rating, 3 being an average rating and 5 being an outstanding rating.

Criteria	Standard
Scope of Response	Level of understanding shown by the response of the project objective, methodology to be used, and results that are desired from the project. Level of understanding shown by the response of local, state, and federal reviews and regulations (as required by funding sources).
Assigned Personnel	Level of skills and relevant professional experience of personnel who will be working on the project.
Firm Capacity	Capacity of project team to meet target start and completion dates and to complete the work in the necessary timeframe. Availability of other qualified personnel to assist in meeting the project schedule if required. Financial capacity to fund and/or leverage funds to develop and operate the project.
Experience and References	Relevance and quality of work samples and references as evidence of the respondent’s experience and skill.