

CITY OF INDIANAPOLIS
OFFICE OF ENTERPRISE DEVELOPMENT

REQUEST FOR INFORMATION AND QUALIFICATIONS

10/20/2009

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INTRODUCTION AND BACKGROUND

PURPOSE OF THIS REQUEST FOR INFORMATION AND QUALIFICATIONS

This Request for Information and Qualifications (“RFI”) is made by the Office of Enterprise Development of the City of Indianapolis, Indiana (the “City”), and solicits information from all qualified firms who wish to be considered as a provider of the services described herein (the “Respondent(s)”). Qualified firms are encouraged and invited to comply with the procedures set forth herein.

The Capital Improvement Board of Managers of Marion County (the “CIB”) is a municipal corporation of Marion County, Indiana (the “County”), established pursuant to the provisions of Indiana Code § 36-10-9 and authorized therein to finance, construct, equip, operate and maintain capital facilities or capital improvements that provide general public benefit or welfare (the “CIB Purposes”). Pursuant to the CIB Purposes, the CIB either owns or operates the Indiana Convention Center (the “ICC”) and Lucas Oil Stadium (“LOS”) (collectively the “Facilities”), located in the downtown area of the City.

In conjunction with the CIB, the City is interested in examining operational management opportunities and alternatives for the Facilities. Specifically, the City is interested in opportunities that will enable it to:

- Identify operational efficiencies and cost savings for the Facilities;
- Build relationships with strategic partners;
- Maximize usage of the ICC and LOS;
- Evaluate potential economies of scale in facilities operations management; and
- Enter into a multi-year agreement with one (1) or more Respondents for the operation and management of the Facilities.

Through this RFI, the City seeks to identify the strengths and weaknesses, capabilities and limitations, of qualified Respondents who provide facilities operations management services. In addition to information requested throughout, Respondents must also include a specific description of how any proposed approach to the operation of the ICC and/or LOS would impact significant annual events, such as public events featuring the Indianapolis Colts, national swimming competitions, the Circle City Classic, events sponsored by Indiana Black Expo, NCAA events, events of the Indiana High School Athletic Association, and various marching band events. Any future agreement will require that a selected Respondent not impair the ability of the City to support such events at the Facilities. Additionally, any future agreement will also require that a selected Respondent coordinate with the City’s Convention and Visitors Association in order to attract and retain significant public events and ensure that the Facilities are utilized at their full capacity.

The remainder of this document provides additional information that will allow a Respondent to understand the scope of the effort and submit a response to the City.

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THE FACILITIES

THE INDIANA CONVENTION CENTER

The ICC is located in a six-block area in the heart of the City's downtown. Upon completion of a major expansion project in the fall of 2010 (the "ICC Project"), at which time the City will assume operational control of all newly constructed improvements, the ICC will provide eleven (11) exhibit halls totaling 56,300 sq. ft. of contiguous space, seventy-one (71) meeting rooms comprising 114,200 sq. ft., three (3) ballrooms comprising 57,000 sq. ft., and forty-eight (48) docks. After construction, the ICC will be the sixteenth (16th) largest convention center in the United States. Additional information about the ICC and its facilities is also available online at:

- www.icclos.com; and
- http://www.icclos.com/Assets/userfiles/PDFs/ICCLOS_FacilityGuide_10_28_08.pdf.

LUCAS OIL STADIUM

Home to the Indianapolis Colts, LOS is a state-of-the-art, retractable roof, multi-purpose stadium in the southern portion of the City's downtown area. Following completion of the ICC Project, LOS will be joined with the newly expanded ICC and several hotels by a new pedestrian connector. LOS features an infill playing surface, seven (7) locker rooms, exhibit space, meeting rooms, an operable north window looking out to the City's skyline, dual two-level club lounges, one hundred thirty-seven (137) suites, retractable sideline seating, house reduction curtains, two (2) large video boards, ribbon boards, spacious concourses, interior and exterior plaza space, eleven (11) indoor docks comprising 30,000 sq. ft., two (2) vehicle ramps to the event level, and other amenities, including operable walls providing up to 183,000 sq. ft. of contiguous tradeshow space and twelve (12) backstage meeting rooms that are available for convention use and that combine with 43,000 sq. ft. of additional exhibit hall space. Additional information about LOS and its facilities is also available online at:

- <http://www.lucasoilstadium.com>; and
- http://www.icclos.com/Assets/userfiles/PDFs/ICCLOS_FacilityGuide_10_28_08.pdf.

OTHER FACILITIES

In addition to the Facilities that are the focus of this RFI, the CIB and related entities own Conseco Fieldhouse and other facilities located in downtown Indianapolis. Conseco Fieldhouse is subject to an operating agreement that does not expire in the near term.

The City believes there is every possibility that the current operator of Conseco Fieldhouse will cooperate in identifying opportunities to achieve efficiencies, enhance performance and create benefits for the well being of the larger community.

By the issuance of this RFI, the City does not intend to interfere with the legal rights and obligations of the operator of Conseco Fieldhouse or other facilities. The City is interested in any creative concepts that might include cooperative arrangements with the existing operators.

RESPONSE REQUIREMENTS AND TIMETABLE

INFORMATION SUBMISSION DEADLINE

All responses to this RFI must be submitted by 4:00 p.m. EST, 11/24/2009.

Information may be submitted in several parts, provided that responses clearly indicate whether information is being provided for the ICC and/or LOS.

In order to address the needs identified in this RFI, the City encourages responses which provide information concerning the operation of the ICC and/or LOS. The City further encourages Respondents to work cooperatively in presenting creative, integrated solutions. Team arrangements may be desirable to enable the Respondents involved to complement each other's unique capabilities, while offering the best combination of performance, cost, and delivery of the services contemplated by this RFI. The City will recognize the integrity and validity of Respondents' team arrangements provided that the arrangements are identified and the relationships are fully disclosed, and a prime Respondent is designated that will be fully responsible for all contract performance.

TIMETABLE

The following is the timetable for this RFI and potential coming project; please note this timetable is subject to change at the sole discretion of the City; further, the City reserves the right not to proceed with a Request for Proposal ("RFP") with any transaction contemplated by this RFI.

10/20/2009	– Distribution of the RFI
11/03/2009	– Last date for questions
11/09/2009	– Answers to Respondent questions
11/24/2009	– Respondent packages due
12/7/2009	– Anticipated RFP issuance date
01/08/2009	– Anticipated due date for proposals

SUBMISSION FORMAT

Each submission should be bound and typed, single-sided, on 8 ½" x 11" paper, in English, using no less than 11 point font, and with 1" margins. Drawings or other graphic representations may be provided on 11" x 17" paper. The submissions should include a table of contents, which identifies the major sections as outlined herein, and any illustrations, tables, charts or graphics included in the Proposal. Submissions (including all exhibits and attachments) shall not exceed thirty (30) pages. Additionally, please submit one (1) electronic copy on compact disc or other commonly used device for transferring data electronically (but, do not email your submission).

SUBMISSION DELIVERY

Each submission shall be delivered to:
Michael Huber
Office of Enterprise Development, City of Indianapolis
200 E. Washington, St. RM 2501
Indianapolis, IN 46204

INQUIRIES

Any questions related to this RFI should be directed to:
Michael Huber
(317) 327-3601
MHuber@indy.gov

FINANCIAL INFORMATION

Respondent shall supply to the City all financial statements and related documents of Respondent for the previous three (3) fiscal years, including but not limited to, Respondent's (i) income statement, (ii) balance sheet, and (iii) cash flow statement for these respective years.

CONTINUING COMPLIANCE WITH EXISTING RESTRICTIONS

The Facilities have previously been financed by the CIB under a bond structure that includes the CIB's ability to lease the Facilities and make rent payments from certain excise taxes made available to it, including an admission tax for events held in such Facilities. Such bond structures are complex and involve significant documentation including leases, subleases, trust agreements and the like (the "Financing Documents"). These financing arrangements depend upon the CIB's continuing to make rental payments under such leases as the legally permitted mechanism to pay bonds issued to originally build the Facilities. Unless retired or defeased early, these leasing arrangements must continue until the final maturity of the related bonds in June of 2021 for the ICC, 2041 for LOS and the ICC Project, and 2027 for Conseco. Additionally certain user agreements exist with the Indianapolis Colts related to LOS and with the Indiana Pacers related to Conseco (the "User Agreements"). The Facilities rely upon operating in a manner that preserves the tax-exempt status of the bonds and does not satisfy the "private security or payment test" under Section 141(a)(B) of the Internal Revenue Code in order to not be "private activity bonds" within the meaning of such Section 141. Any proposed arrangement must be consistent with continuing to not satisfy such "private security or payment test" and to comply with the terms and covenants of the Financing Documents and User Agreements.

PRIVILEGE CLAUSE AND RIGHT TO ALTER

Notwithstanding any other provision in this RFI, the City may elect not to proceed with an RFP or with any transaction contemplated by this RFI.

The City is under no obligation to Respondents. The City may, in its sole discretion, decide not to proceed with any or all of the transactions contemplated herein or may proceed with such transaction or transactions by any other procurement means or delivery mode it may deem fit.

The City further reserves the right to selectively identify, on the basis of demonstrated qualifications and experience, any or all Respondents for participation in any formal RFP that may be issued or direct negotiations that may be entered into in relation to the transactions contemplated by this RFI.

The City reserves the right to alter any of the conditions and criteria outlined in this RFI, including but not limited to, the deadline for submissions, by posting addenda on its Web site at:

- <http://www.indy.gov/purch>

NO CONTRACT; COSTS AND EXPENSES

This is an inquiry only. By responding to this RFI with a written submission, or otherwise participating in the process as outlined in this RFI, each Respondent expressly agrees that no contract of any kind is formed under, or arises from, this RFI and that no legal obligations as between any one (1) or more Respondents and the City will arise.

Each Respondent is solely responsible for its own costs and expenses in preparing and submitting a response to this RFI and participating in the RFI process, including the provision of any additional information or attendance at any meetings or interviews.

The City shall have no monetary obligation to any recipient of, or Respondent to, this RFI.

OWNERSHIP OF SUBMISSIONS AND PUBLIC RECORDS ACT

The City will be entitled to retain all submissions received in response to this RFI without pay or compensation.

Submitting parties are advised that the City is subject to the Indiana Access to Public Records Act ("APRA") and that any documents or other records provided to the City may, by law, be subject to disclosure. Respondents are encouraged to avoid submitting any information they deem proprietary or confidential. In the event Respondent does submit confidential information, such submission should be clearly marked as "PROPRIETARY AND CONFIDENTIAL INFORMATION" along with a statement that, "This information is intended to be used only for responding to this RFI and is in no way to be used for any other purpose(s) without prior written consent from [COMPANY NAME]." Respondent may also request in writing that such proprietary and confidential information not be disclosed by the City and submit such information in a separate, marked envelope; the City will review the request in conformance with APRA and notify the Respondent of its determination. In any event, however, it shall be the Respondent's responsibility to defend or prosecute any legal challenge or dispute arising from Respondent's disclosure of proprietary or confidential information and the City shall in no way be liable for such defense or prosecution, including but not limited to, financial liability.

CONFIDENTIALITY

Respondents to this RFI shall not make any statement of fact or opinion regarding any aspect of this RFI to the media or to any member of the public without the prior written authorization of the City.

COVENANT NOT TO SUE

In consideration of the opportunity to submit a response to this RFI, Respondents release and covenant not to sue (i) the City, (ii) the County, or (iii) any of the elected and appointed officials, appointees, or employees, consultants, representatives, attorneys or agents of any of (i), (ii), or (iii) (each of the foregoing persons or entities being individually referred to as a "Municipal Party") from and in respect of, all manner of action or actions, cause or causes of action, suits, debts, sums of money, contracts, promises, controversies, damages, judgments, preventions, claims, demands, liabilities and obligations, of whatever kind or nature, at law or equity, which the Respondent ever had or now has or may in the future have against any Municipal Party which may arise as a result of or in connection with any decision or action or failure to act by any Municipal Party pursuant to this RFI or in connection with any process or procedure under or stemming from this RFI. This release and covenant not to sue shall be binding upon each

Respondent, and shall inure to the benefit of each Municipal Party and their respective successors, assigns, heirs and personal representatives.

GUIDELINES FOR RESPONSE PREPARATION

SCOPE, APPROACH AND METHODOLOGY

In addition to information required to be provided in the Question/Answer Form to this RFI set forth below, Respondents should also include detailed information about:

- Facilities operations management strategies, including a description of any similar capital improvement or facility Respondent has been managing and/or operating in the past five (5) years and with a specific emphasis on engagements lasting ten (10) years or longer. This item should fully demonstrate Respondent's depth and experience with strategies utilized in the management and operation of capital improvements and facilities;
- Demonstration of Respondent's capacity and capability to satisfy factors such cost control, quality of work, and the ability to commit to and deliver on budgetary objectives, cost estimates and projected cost savings; and
- Identification of all persons that will be actively engaged in performing the management and operation of the ICC and/or LOS, including for key persons, summaries of their backgrounds and relevant experience and qualifications which correlate to the type of facilities operation management facet being sought by the City. The submission should include a list of major clients and projects each individual has worked on in the last five (5) years and with a specific emphasis on engagements lasting ten (10) years or longer.

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QUESTION/ANSWER FORM TO THE RFI

In addition to other information requested by this RFI, please provide the following information. Please use separate sheets as necessary.

Question	
Company Profile	
Company name	
Company address	
Company web page	
Location(s) of facilities operated and/or managed (including number of years operator and/or managed), previous and/or existing	
Number of years on the market	
Main services	
Main markets/customers	
Awards earned by company	
Litigation currently pending or threatened against company	
Ownership structure with ownership status in percentage	
Structure of parent corporation, joint ventures, subsidiaries, partnerships of other relevant relationships	
Number of Employees in:	
Total company	
Facilities management	
Facilities operations	
Accounting	
Marketing, sales and promotion	
External relations (e.g., government relations)	
Financial Information:	
Last year gross revenue (per facility)	
Last year gross expenses (per facility)	
Last year gross margin (average across facilities)	
Last year gross revenue of company	
Last year gross expenses of company	
Last year gross margin of company	
Last year gross profit of company	
Stock markets where your company is listed	
Contact person responsible for answering this RFI:	
Name	
Telephone	
Email	
Street address	
Other Questions	
Conditions that are listed in the RFI that cannot be met	
Reference information for past or current customers	