



UPPER PONTALBA

## UPPER PONTALBA BUILDING

1008 N. PETERS ST. 3RD FLOOR NEW ORLEANS, LA 70116

OFFICE (522) 525-6875 FAX (522) 525-6455

MANAGEMENT OFFICE: 520 SAINT PETER STREET

# Request for Proposal December 1, 2011

## I. GENERAL BACKGROUND

The Upper Pontalba Building Restoration Corporation (UPBRC) will be accepting Proposals (“RFP”) for the rental of **1087** square feet of prime commercial space located at **522 St. Peter Street** in the “Historic Upper Pontalba Building”. The Upper Pontalba Building is in the heart of the French Quarter, enjoying heavy traffic from tourists and locals alike. The UPBRC is responsible for preserving architectural and historical qualities of Upper Pontalba Building as a national historic landmark and will evaluate the conceptual and operational characteristics of a proposed business within this context. Current proposal guidelines favor niche or unique businesses that appeal to both tourist and local shoppers.

Requests for Proposals will be accepted until such time as the UPBRC Board of Directors and a prospective tenant for the space agree to the terms of a lease. Once a proposal has been accepted by UPBRC the Applicant will have a period of thirty (30) days from that date of acceptance to finalize a lease. Failure to finalize the lease within this 30-day period will invalidate the lease proposal and UPBRC will be free to contract with other applicants for the space. At its sole discretion, the UPBRC reserves the right to extend the period for finalizing the lease for an additional thirty (30) days. All applicants are urged to secure and review the UPBRC Standard Lease form which they will be required to sign if their lease proposal is accepted. Except as may be necessarily required with respect to permitted uses, no deviation from the Standard Lease will be permitted. Upon Board acceptance of applicant’s proposal, applicant will be required to remit a security deposit and the first month’s rent, equivalent to two month’s rent.



Once a Standard Lease has been signed by the successful Applicant and the UPBRC, all other Requests for Proposals submitted herein upon Applicant's written request will remain on file and open for a period of twelve (12) months from the date of this Request for Proposal.

1. Applicant must conform to zoning ordinances as stated.
2. Each business must have a defined specialty or theme. Any change of use, no matter how minor, and any addition or deletion of product lines or activities during lease negotiation or after execution of lease must be approved by UPBRC. The UPBRC will monitor compliance with permitted uses and display restrictions and Tenant's failure to comply with the terms and conditions approved by the UPBRC will constitute a default under the lease.
3. All Tenant improvements for the leased space shall be performed by the Applicant at Applicant's expense. UPBRC reserves the right to require additional improvements as may reasonably be necessary.
4. Applicant acknowledges that Landlord is providing an improved space, however Landlord does not warrant the trade fixtures, and the Applicant accepts the trade fixtures as is. Applicant also acknowledges that tenant improvements will include upgrades to the HVAC, lighting, flooring and painting.
5. Applicant must provide a detailed list, including cost of all proposed tenant improvements to be performed at Applicant expense.
6. Within thirty days of execution of lease, Tenant shall supply Landlord with layout and design of the store interior including, but not limited to furniture, trade fixtures and color scheme. Tenant acknowledges that in order to preserve and protect the overall appearance and integrity of the Upper Pontalba Building,



Landlord reserves the right, during the term of the lease and any renewals thereof, to approve the overall appearance of the Leased Premises, including the interior layout and design, the floor plans, paint colors, furnishings and fixtures and no changes may be made from the approved design without the written consent of the Landlord. A copy of the floor plan is attached.

7. No lease is assignable or transferable and no estate is created by the lease without the prior written approval of the UPBRC Board of Directors. The lease is not assignable or transferable.
8. UPBRC will deny an applicant that directly or indirectly control, manage, own, operate or has a financial interest in, or participate in the management or operation of *another* space leased from the UPBRC at the discretion of the Board of Directors.

## II. ZONING

The zoning for the address noted in this proposal is Vieux Carre Commercial District (VCC-1). Zoning information is attached. Questions regarding the zoning should be directed to: City Planning Commission, 1340 Poydras Street, 9<sup>th</sup> floor, New Orleans, LA 70112. (522) 658-7000.

## III. NATURE OF BUSINESS: *Responses to the following must be provided on a separate sheet in all proposals. Applicants' responses must correspond to each numbered question.*

1. Name, address, telephone, email address and facsimile number of all principle applicants. If corporation or partnership, include a copy of the Articles of Incorporation, a copy of any "Partnership" and "Counter Letters" as well as corporate documents. Also include name and address of officers and/or partners,



and indicate a contact person. Applicant must provide complete disclosure of all principles and a copy of Certificate of Good Standing.

2. Define concept or theme of proposed business. Please be as detailed as possible in your description of the proposed retail specialty.
3. Describe or list all possible items proposed to be sold in the space.
4. Describe proposed uses of interior space. Please include your desired amount of space and any other details you feel are pertinent. Floor plans, layouts, etc. are encouraged.
5. Describe the competitive environment for your business in the proximity of the Upper Pontalba. How will you position your store and/or merchandise as compared to these businesses?
6. Explain reasons for considering the French Quarter, the Riverfront, and specifically, the Upper Pontalba as a potential space in which you wish to do business. Indicate your reasons for believing that there is a demand for the proposed business. This must address three market segments:
  - a. French Quarter retail sector
  - b. Tourism sector
  - c. Metropolitan area resident sector.

**EXPERIENCE:**

- a. Location and years in business of any current operation, whether it is same as proposed use or not.
  - b. Years and type of experience of the applicant in all businesses.
  - c. Years of experience in specific business proposed by individuals involved, whether that is same as 3.a. above or not.
7. A pro-forma for the proposed business must include anticipated gross sales for the first (three) 3 years of operation, and clearly indicate your proposed rental terms including base rent, common area charges, percentage rent, and advertising fees.
8. Upon UPBRC's acceptance of Applicant's proposal, Applicant will be required to submit the attached letter of intent.



9. Applicants will be required to submit a per-square-foot proposed monthly rent.

#### IV. PROPOSED TERMS AND CONDITIONS

The UPBRC has set the following terms:

1. Monthly Minimum Rent of \$38.00 per sq. ft. per year.
2. Rent Percentage Rent is 8 % of monthly gross sales or Minimum Rent whichever is greater.
3. Yearly cost of Living Increases: The Monthly Rent shall increase each year by the percentage of the increase in the Consumer Price Index from the month immediately preceding the first day of the Lease (the starting month) to and through the CPI for the month which is the last month of the preceding year of the Lease (the ending month).
4. Advertising Fee: 1% of monthly gross sales. Beginning with the 2010 Operating Budget and every year thereafter, the UPBRC provides for an advertising budget for general business promotion and events. This advertising fee offsets a portion of the expenses.
5. Common Area Maintenance Fee is 100% of tenants' proportionate share. Common area expenses includes but not limited to painting store fronts, garbage collection, landscaping, sprinkler and fire alarm monitoring and inspections, termite and pest control, common area utilities services, grounds keeping, security guard services (salaries and equipment).
6. Tenant shall not operate a business to sell "Souvenir items" such as, but not limited to, ceramic masks, Mardi Gras beads, Voodoo merchandise, feather boas,



t-shirts, shot glasses, magnets, posters, toothpick holders, or pot holders bearing words, images, or a combination of words and images which evoke or describe any place, event, or cultural attribute of the City of New Orleans or the State of Louisiana.

6. Tenant shall not cause or permit the performance of live music or electronically produced music audible outside of the premises.

The UPBRC acknowledges the desirability of including in its historic building business enterprises owned by members of racial and ethnic minorities and women. Such participation assists the City of New Orleans in its efforts to provide real economic opportunity to those in the community, who, in the past and now, have not had full access to capital and resources needed to fully participate in the New Orleans economy.

**V. REQUIRED PROPOSAL ATTACHMENTS** - The following must be submitted in the original proposal submission only.

1. Credit Authorization for each principal party of the business.
2. Affidavit disclosing ownership (original must be notarized). If applicable, certified original copy of the Articles of Incorporation.
3. Financial statements of the applicant and, if corporation or partnership, of principals. Also, yearend profit and loss of the retail business of which proposed use is a branch or which will share resources of the applicant. Financial statements must indicate personal liquidity equal to one year's rent.
4. Banking reference and supplier references. If directly involved in manufacture of import of the product to be sold, please explain.
5. Sources of financing and payback arrangements.



**Please note:**

*Any notices or questions relating to this RFP must be submitted in writing to Darrin Duplissey, Property Manager, Upper Pontalba Building Restoration Corporation 1008 N. Peters St., New Orleans, LA 70116 3<sup>rd</sup> Floor. Please contact Darrin Duplissey at 525-6875 to schedule an appointment to inspect the space.*

*A completed proposal must be received not later than 4:00 p.m., Tuesday, January 31, 2012 at the address noted above. We recommend that all applicants include color photos of the proposed merchandise in the proposal. All Proposals will be reviewed to and checked for completeness and providing information as requested above **highlighted in red**. Upon review of the proposal, applicant will be required to submit ten (10) copies of the proposal. The UPBRC Staff will advise when you can provide the additional copies of your proposal.*

*Please note that incomplete proposals will not be considered.*

Attachments:

1. Floor Plan;
3. Vieux Carre Commercial Zoning District (VCC-1);
4. Letter of Intent;
5. Credit Authorization;
6. Checklist.



## LETTER OF INTENT

Date: \_

Frank Pizzolato, Executive Director  
Upper Pontalba Building Restoration Corporation (UPBRC)  
1008 N. Peters Street, 3rd floor  
New Orleans, LA 70116

RE: **Letter of Intent - 522 Saint. Peter Street**

Dear Mr. Pizzolato:

I am pleased to present this Letter of Intent to enter into a lease with the UPBRC for the premises captioned above. As soon as possible after the acceptance of this Letter of Intent by the UPBRC, the parties shall enter into a lease consistent with the terms and conditions set forth herein, and containing such additional covenants, representations, terms, and conditions as are contained in the Standard Lease form as used by the UPBRC.

This Letter of Intent is intended only to express the interest of the parties to enter into a lease agreement for the premises located at **522 St. Peter Street**. Neither the UPBRC nor the undersigned shall be legally obligated to lease the property until a lease agreement has been signed between the parties.

Applicant:	
Term of Lease:	
Renewal Provisions:	
Permitted Uses:	
Monthly Minimum Rent:	
Percentage Rent:	



Advertising Rent:	
Common Area Rent	
Performance Standard	

List improvements and estimate of cost to be provided by Tenant at Tenant's cost (Please use separate sheet if needed):

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Applicant's Signature

Date



### CREDIT AUTHORIZATION

In connection with the Request for Proposal submitted to the UPBRC for the commercial space at **522 St. Peter Street**, I authorize the UPBRC to obtain information pertaining to my finances either directly or from all appropriate credit reporting agencies, as you may deem proper in connection with my lease proposal.

Name	
Address	
City	
State	
Zip Code	

Previous Address (if less than 3 years)

Address	
City	
State	
Zip Code	

Social Security Number or Tax Identification Number	
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Applicant's Signature

Date



**UPBRC**  
**Request for Proposals**  
**522 St. Peter Street**

**CHECKLIST**

**Proposals must include the following information:**

- Applicant's Response to Request for Proposal
- Credit Authorization for each principal party of the business.
- Affidavit disclosing ownership (original must be notarized). If applicable, certified original copy of the Articles of Incorporation.
- Financial statements of the applicant and, if corporation or partnership, of principals. Also, yearend profit and loss of the retail business of which proposed use is a branch or which will share resources of the applicant. Financial statements must indicate personal liquidity equal to one year's rent.
- Banking reference (forwarded directly to the UPBRC by applicant's financial institution) and supplier references. If directly involved in manufacture of import of the product to be sold, please explain.
- Sources of financing and payback arrangements.
- Contact information as requested on page 3.
- Disclosure of all principles.
- Three Year Pro-forma for proposed business
- Letter of Intent (Submitted upon acceptance of applicant's proposal).