

## REQUEST FOR PROPOSALS

### FOR LEASE OF MESKER PARK AMPHITHEATER

**A. Title:** POTENTIAL LEASE AGREEMENT FOR THE MESKER PARK AMPHITHEATER as shown on Exhibit A, attached hereto (the “Facility”) and the surrounding property associated therewith.

**B. Proposal Submittal Deadline:** August 22, 2025 at 10:00 a.m. Central to be delivered to:

Board of Park Commissioners  
c/o City of Evansville Dept. of Parks and Recreation  
C.K. Newsome Community Center  
100 E. Walnut Street  
Evansville, IN 47713

**C. General Description of Purpose:** This Request for Proposals (RFP) is being issued to solicit proposals from individuals or entities qualified to rehabilitate, revive and utilize Mesker Park Amphitheater which is now owned by the City of Evansville and managed by the Department of Parks and Recreation (“Parks Department”), under the governance of the Board of Park Commissioners (“Parks Board”).

The Parks Department seeks to explore the possibility of the capital investment necessary for such a renovation coming from the private sector, including for-profit organizations and nonprofit organizations, in lieu of or as a supplement to taxpayer funding. The Board of Park Commissioners (“Parks Board”) finds that the procedure outlined in Indiana Code 36-1-11-10 is not feasible given the current condition and future maintenance and repair associated with the Facility. Therefore, the Parks Department has developed this Request for Proposal in conformity with the requirements of Indiana Code 36-1-11-12 and seeks to work with a potential lessee on developing a community minded use of all, or a portion, of the Facility.

**D. Lease Period:** Proposed initial term of 5 years with potential for renewal. The Parks Board reserves all rights to negotiate with all potential lessees on this bargaining issue.

**E. Additional Information:**

1. The Parks Board reserves the right to reject all proposals submitted under this Request for Proposals;
2. Potential lessees (“Offerors”) may be asked to interview with representatives of the Parks Board, and discussions may be conducted with the Offerors for the purpose of clarification to assure full understanding of, and responsiveness to, the solicitation requirements.
3. It is anticipated that an Offeror will be notified of proposal and lease acceptance by September 17, 2025, so any potential lease can be finalized and executed by September 24, 2025.
4. The Parks Board reserves the right to reissue the RFP with or without revisions if no proposals acceptable to the Parks Board are forthcoming.

5. The Parks Board reserves all rights established under Indiana Code 36-1- 11-12.
6. The Facility will not be leased to a person who is ineligible under 36-1-11-16;
7. The aerial depiction of the Facility, attached as Exhibit A hereto, is not intended to be a surveyed or legal description of the property to be leased, but is for general reference and illustration only.

**F. Submittal Instructions:**

Submit one (1) printed and one (1) electronic (PDF document(s) on a USB “Flash” Drive) copy of the proposal (a “Proposal”), by **10:00 a.m. Central on August 22, 2025**, to:

Board of Park Commissioners  
c/o City of Evansville Dept. of Parks and Recreation  
C.K. Newsome Community Center  
100 E. Walnut Street  
Evansville, IN 47713

No certified check will be required to submit a proposal, but the Parks Board reserves the right to request evidence of financial responsibility through the negotiating process.

**G. Proposal Contents, General:**

The Proposal should include a detailed description and discussion of the Evaluation Criteria detailed in this RFP. Additionally, the Parks Board requests that the entity which is proposing to enter into lease negotiations give a detailed description of its organizational structure, including type of organization and principals of the organization including ownership and management. If no such organization exists, the individual who is proposing to enter into lease negotiations must be identified.

The Proposal should include a description of the nature of the proposed use and whether this proposed use includes any capital investment in any improvement currently existing on the Facility property or to be added to the property. All improvements to the Facility will be the property of the City of Evansville upon termination, cancellation, or expiration of the lease.

**H. Proposal Contents, Specific Requirements:**

1. Title Page
2. Letter of Introduction containing an introduction of the Offeror and a summary of the complete bid price. The Letter of Introduction may include other pertinent information at the discretion of the Offeror.
3. Table of Contents
4. Statement of qualifications;

5. Complete financial statements for the immediately prior full fiscal year of the Offeror; the Parks Board reserves the right, in its sole discretion, to request review of up to three (3) years of financial statements.
6. Offeror's approach to the Facility lease and use;
7. A detailed plan for scheduling events and performances;
8. A detailed plan for scheduling alternate events, if any, including a proposal for the minimum number of events to be held at the Facility (excluding concerts);
9. Amenity licensing plan – including revenue sharing with the City\*;
10. Concessions plan (menu, standard of food service, local food partnerships) – including revenue sharing with the City\*;
11. Pouring rights – (soda, alcohol, and local beverage supplier partnerships) – including revenue sharing with the City\*;
12. Plan for capital improvements to the Facility, including nature of improvements and estimated amount Offeror is committing to invest;
13. Description of features of the Proposal which enhance our community, such as the creation of jobs or other benefits;
14. Maintenance plan (a detailed plan of maintenance and responsibility for related expenses);
15. Ticketing and merchandising plan (operations, POS Systems, etc.) – including revenue sharing with the City\*;
16. Acknowledgement of the Board's right to reject any and all advertising, sponsorships, underwriting, and branding (including brand standards) which fails to meet the City's community standards;
17. Acknowledgement of the requirement to work with Mesker Park Zoo & Botanic Garden (the "Zoo") and the Evansville Zoological Society in an effort to minimize disruption from noise, traffic, environmental conditions or encroachments caused or generated by the operation of the Facility and to comply with reasonable standards and limitations set in consultation with the Zoo for limiting the same;
18. Acknowledgement of the requirement to work with other City departments and community organizations as directed by the City;
19. Names and addresses of all persons having a financial interest in the Offeror's business – including but not necessarily limited to, individual owners, partners, limited partners, officers, directors, and shareholders indebted to the company in excess of \$10,000 at the time of submission, and if the submittal comes from a trust (as defined in IC 30-4-1-l(a)) the submittal must identify each beneficiary of the trust and each settlor empowered to revoke or modify the trust.

20. Acknowledgement of the Parks Board's right to review financials annually if selected;
21. Acknowledgement of the Parks Board's right to name and/or rename the Facility in its sole discretion and retain all revenue from any such related agreement;
22. A statement of the proposed lease term and renewal options – the proposal should assume an initial term of up to five (5) years; however, the Parks Board reserves the right to negotiate shorter or longer terms after submission from any Offeror;
23. Offeror contact information;
24. A proposed lease agreement (which the Parks Board reserves the right to negotiate);
25. Experiences in similar lease/use arrangements or entertainment venue use operations;
26. Experience with, or knowledge concerning the availability of, sources of funding such as grants for the operation and maintenance of, and capital improvements to, publicly owned facilities such as the Facility;
27. Bid price, including any revenue sharing models;
28. Contingency plan to be pursued if the proposed business plan the Offeror will pursue in leasing the Facility becomes no longer viable;
29. References;
30. List of litigation or claims – provide a list of any and all litigation or claims within the past five (5) years against the Offeror or any majority owner, including any regulatory or other claims by any governmental entities;
31. Provide any written performance reviews or evaluations issued by any person or entity from whom Offeror has provided services similar to those requested to be bid in this RFP;
32. Supplemental materials – The Parks Board may request supplemental materials prior to the RFP deadline and such materials must be included in the proposal package.

\* The Parks Board will consider standard revenue sharing proposals, in which the Offeror proposes to split with the City revenue from concessions, suites, tickets, sponsorships, or other Facility resources. The Parks Board will also consider proposals for flat fee arrangements in the form of lease or other use payments, or other one-time or periodic payments (potentially with the Offeror retaining a right to collect and receive other Facility-related revenue.)

## **I. Evaluation Criteria:**

Price will not be the most important criteria in these evaluations; the Parks Board is looking more for an investment in the community.

The successful Offeror will be selected by the City of Evansville Board of Parks Commissioners (the "Parks Board") based upon an evaluation of the submitted Proposal and on an evaluation of the following specific criteria:

1. Offeror's general qualifications—the described general qualifications of the Offeror;
2. Offeror's special qualifications—any special or unique qualifications of the Offeror as they relate to this RFP or the operation and maintenance of outdoor entertainment venues;
3. Offeror's experience—any experience the Offeror has in operating and maintaining an entertainment venue;
4. Offeror financial strength;
5. Date the Offeror can begin performing under contract;
6. Proposed capital investment in the Facility;
7. Any community benefit to be realized by Offeror's performance and investment, including creation of jobs, other enhancements to the community's quality of life and ability to attract economic development;
8. Quality and extent of services Offeror is able to provide;
9. Proposed monetary payments or other financial consideration to the Parks Board;
10. Compliance and responsiveness to Proposal specifications and all terms and conditions set forth herein;
11. Conciseness, responsiveness, and completeness of the Proposal to the information requested as outlined in this RFP;
12. Adherence to the requested Proposal format—including the thoroughness of the Proposal as well as the format of the presentation;
13. City's or Parks Board's previous experience with the Offeror (if any);
14. References—the quality (and potentially quantity) of references provided and what those references indicate when contacted;
15. Offeror performance reviews or evaluations;
16. Offeror litigation or claims history.

**J. Contact for Questions:**

Dirck H. Stahl  
Ziemer Stayman Weitzel & Shoulders, LLP  
20 N.W. First Street, P.O. Box 916  
Evansville, IN 47706  
[dstahl@zsws.com](mailto:dstahl@zsws.com)

**EXHIBIT A**

**AERIAL DEPICTING THE FACILITY**

