

SOLICITATION OF OFFERS

The City of Charlottesville invites persons interested in acquiring ownership of an Historic Bronze Sculpture Depicting Lewis & Clark and Sacajawea Owned by the City of Charlottesville

Initial Deadline for Submission: Friday, August 27, 2021

1.0 BACKGROUND

- 1.1** The City of Charlottesville is soliciting offers from entities interested in acquiring ownership of a bronze figurative sculpture depicting the 19th century Explorers Lewis & Clark, and their Native American partner, Sacajawea. The sculpture, entitled “Their First View of the Pacific”, was created by the famous American sculptor Charles Keck. The sculpture is designed to sit atop a tall carved rectangular pedestal of pink granite, also of Keck’s design.
- 1.2** The City only will entertain offers that propose acquisition of the Statue as well as the base (together, the “Statue”). Each offer must set out detailed terms for the Offeror’s acquisition and removal/relocation of the Statue.
- 1.3** The Statue has been disassembled and is currently being stored at a City-owned location.
- 1.4** The base remains at its original location at the intersection of West Main and Ridge-McIntire Street.

2.0 CONTENTS OF OFFER

- 2.1** Offers shall be legally binding offers, signed by an individual who is authorized by the Offeror to bind it to the terms of the offer. The Offer shall warrant that the terms of its offer will be and remain valid for a period of 120 days from the date of submission.
- 2.2** If a particular offer proposes that the City Council consider donating the Statue to the Offeror for nominal consideration, the Offer shall include detailed factual information documenting that the Offeror is an entity eligible to receive donations of property under the provisions of Virginia Code §15.2-953. In that case, the Offer shall identify the specific charitable activity referenced in §15.2-953 that applies to the Offeror.

If an Offeror is NOT eligible to receive donations of property under the provisions of Virginia Code §15.2-953, the Offer shall contain the Offeror’s opinion as to the fair market value (FMV) of the Statue supported by such factual information as the Offeror deems relevant.

- 2.3 Each Offer shall describe in detail the Offeror’s intended use of the Statue. If the Statue will be re-erected and displayed by the Successful Offeror at a new location, the offer shall include a description of the location to which the Statue will be re-erected, and will describe and illustrate the Offeror’s plan to provide a recontextualization of the story narrative of Sacajawea’s positive role in Lewis & Clark’s expeditions (“Recontextualization Plan”).
- 2.4 Each Offer shall describe the Offeror’s Historic Statue and Artifact Experience (Indicate prior experience in owning, maintaining, and displaying historic statues or artifacts). Further, each Offer shall articulate the Offeror’s financial ability to carry out its proposed use and/or Recontextualization Plan, and any other terms of the Offer.
- 2.5 The Recontextualization Plan must include an accurate historical narrative of the positive role Sacajawea provided in the exploration efforts of the Lewis & Clark Expedition and include the concerns that the statue may be interpreted to depict a lesser more subservient role provided by Sacajawea. The Recontextualization Plan shall also identify the means by which the Offeror’s Plan will be made binding into the future, not only as to the Offeror, but also as to the Offeror’s heirs, successors and assigns (i.e., anyone who purchases the property or land from the Offeror).
- 2.6 The City will not be liable for any costs associated with removal, relocation or re-erection of the Statue. Each Offer must confirm that the Offeror will be solely responsible for all such costs, including transportation. Once the Statue is conveyed to a successful Offeror, the Offeror will be solely responsible as to the means and methods, and any contractual services required, for moving, transporting and re-erecting the Statue.
- 2.7 Each Offer shall include the name(s) of the individual(s) authorized to negotiate with the Offeror and bind the Offeror to the terms of the Offer. Each such individual shall be identified by their full name, and contact information (telephone number, email address).

3.0 EVALUATION CRITERIA

The Charlottesville City Council may sell or otherwise dispose of the Statue, as may be in the best interests of the public. In assessing what is in the public interest, City Council may consider any factors it deems relevant, including, without limitation, the following:

- 3.1 The Offeror’s opinion of the fair market value of the Statue, and any financial benefits to be realized, or financial obligations incurred, in the event that the City Council were to accept the Offer.
- 3.2 The City Council’s assessment of the quality and long-term sustainability of the Offeror’s Recontextualization Plan.
- 3.3 City Council’s assessment of the desirability of the Offeror’s intended use of

the Statue, and whether or not the intended use is consistent with City Council's core values.

4.0 SUBMITTAL REQUIREMENTS

4.1 Offers shall be submitted in an envelope labeled with the words “**Sacajawea Statue Offer**”. Offers shall be delivered to the Office of the City Manager at 605 East Main Street, Charlottesville, VA 22902, or mailed via U.S. Mail, first-class, postage prepaid, to the Office of the City Manager, P.O. Box 911, Charlottesville, Virginia, 22902. Offers received by 3:00 PM on Monday, August 27, 2021 will be considered by City Council at a meeting within 90 days thereafter.

4.2 Letter of Transmittal

Each offer shall be accompanied by a transmittal letter (in the same envelope). The transmittal letter will identify “**Sacajawea Statue Offer**” as the item proposed to be acquired by the Offeror. Each transmittal letter, and each Offer, shall be signed by an individual who is legally authorized to bind the Offeror to the terms of the Offer. The terms of the Offer shall be confirmed as being valid for a period of 120 days from the date of the Offer.

5.0 PROCEDURES FOR CONSIDERATION OF OFFERS

5.1 The City Manager shall collect the submitted offers and present them at a regularly scheduled meeting of the City Council (with the intent for offers received by August 27, 2021 to be considered by Council on September 6, 2021). The City Council shall then instruct the City Manager how to proceed with negotiations with one or more Offerors.

5.2 The City reserves the right to reject any or all offers received, and to waive any defects or variations in the contents of an Offer from the requirements of this solicitation.

6.0 GENERAL TERMS AND CONDITIONS

6.1 It is the responsibility of the Offeror to assure that its Offer is received by the City Manager in the manner specified within this solicitation, on or before the date set for receipt of offer.

6.2 If any prospective Offeror has questions about this solicitation, the Offeror should contact Chip Boyles, City Manager, no later than five (5) working days before the due date. All questions must be through email correspondence to boylesc@charlottesville.gov

6.3 Offerors are advised that oral explanations or instructions given by City staff, during this solicitation process, or at any time prior to action by City Council, shall be nonbinding. City Council is the sole decision-maker regarding the final disposition of the Statue.

- 6.4** The City may make such reasonable investigations as deemed proper and necessary to determine the ability of the Offeror to complete the purchase of the property as negotiated, and the Offeror shall furnish to the City all such information and data for this purpose as may be requested.
- 6.5** Potential Offerors shall be allowed to personally and visually inspect the property by appointment. Contact the City Manager by email to set an appointment (Chip Boyles boylesc@charlottesville.gov).

7.0 CODES & STANDARDS

The Offeror, its officers, agents, employees, and any subcontractors, in the performance of this Agreement shall comply with all applicable statutes and laws of the United States and the Commonwealth of Virginia, the Charter and ordinances of the City of Charlottesville, and the applicable rules and regulations of the agencies of each.