

SOLICITATION OF OFFERS

**The City of Charlottesville invites persons interested
in acquiring ownership of Historic Bronze
Sculptures Depicting Confederate Generals Robert E Lee and
Jonathan “Stonewall” Jackson
Owned by the City of Charlottesville
Initial Deadline for Submission: Friday, October 15, 2021**

1.0 BACKGROUND

- 1.1** The City of Charlottesville is soliciting offers from entities interested in acquiring ownership of bronze figurative sculptures depicting the 19th century Confederate Generals Robert E Lee and Jonathan “Stonewall” Jackson. The Sculptures were created by the internationally renowned sculptors, Charles Keck (Jackson sculpture) and Henry Shradly and Leo Lentelli (Lee sculpture). Both sculptures are designed to sit atop tall rectangular granite bases. Together, the sculptures will be referred to as “the Statues”.
- 1.2** The City only will entertain offers that propose acquisition of the Statues, individually or as a pair, as well as their corresponding bases (together, the “Statues”). Each offer must set out detailed terms for the Offeror’s acquisition and removal/relocation of the Statues.
- 1.3** The Statues have been disassembled and are currently being stored at a City-owned Location that is easily accessed by trucks and moving equipment.

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 Statues 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 Statues, 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 Statues. If the Statues 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 Statues will be re-erected, and will describe and illustrate the Offeror's plan to provide a recontextualization of the story narrative "revealing their history as symbols of white supremacy" (City of Charlottesville Blue Ribbon Commission on Race, Memorials, and Public Spaces, December 19, 2016). This description shall be noted as the Recontextualization Plan.

2.4 Each Offer shall describe the Offeror's Historic Statues 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 narrative of the historic significance of the sculptures and the unique ability to convey an important—although difficult and complex—story about the statue's significance in Charlottesville's past and its legacy today. Using an "additive" approach, this recontextualization's success would rely on the inclusion of new accurate historical information and transformation of the sculptures and their place in the city's evolution.

The recontextualization needs to be done clearly and unambiguously indicating the rejection of the Jim Crow-era narratives that dominated when the statues were erected. New design that deemphasizes the centrality of the sculpture and counters the Lost Cause narratives could achieve a real transformation of both space and

narrative.

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 Statues. Each Offer must confirm that the Offeror will be solely responsible for all such costs, including transportation. Once the Statues 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 Statues.
- 2.7** Each Offer shall include the name(s) of the individual(s) authorized to negotiate on behalf of the Offeror and to bind the Offeror to the terms of the Offer, along with documentation of the authority (a corporate resolution, etc.). 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 Statues, 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 Statues, 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 Statues, 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 “Confederate Statues Offer” and will contain documentation and information demonstrating how the Offer satisfies the criteria set forth within Sections 2 and 3, above. 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; or via electronic mail at statues@charlottesville.gov. Offers received by 3:00 PM on Friday, October 15, 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 “Confederate Statues 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 October 15, 2021 to be considered by Council at a future City Council meeting. 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 the City, via electronic mail at statues@charlottesville.gov no later than five (5) working days before the due date. All questions must be through email correspondence to statues@charlottesville.gov.

- 6.3** Offerors are advised that oral explanations or instructions given by City staff, the City Manager, or any City employees 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 Statues.
- 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** The Successful Offerors shall be allowed to personally and visually inspect the property by appointment, after being notified that their Offer has been selected for final consideration. Contact the City by email to set an appointment statues@charlottesville.gov.

7.0 CODES & STANDARDS

In preparing the details of its offer and its proposed plan for removal of the Statues, 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.