



City of Hartford, Michigan  
19 West Main Street  
Hartford, MI 49057  
269-621-2477

# Request for Proposals Recreational Marihuana Vendors

Proposals are due at the address shown above no later than Monday, July 10th, at 4:00pm EST  
City of Hartford Designated Contact: Sanya Vitale, City Manager  
Questions must be submitted electronically only, no telephone calls  
accepted Email: [citymanager@cityofhartfordmi.org](mailto:citymanager@cityofhartfordmi.org)

## Introduction

The City of Hartford, Michigan (hereafter referred to as “The City”), a duly organized municipality in the State of Michigan, is soliciting proposals from highly qualified marihuana businesses seeking licensure within the City limits. The City will seek proposals from those wishing to operate a Marihuana Business within the City.

## Submission Instructions

The anticipated schedule for this Request for Proposal is as follows:

RFP Issued: June 27, 2023

Proposal Due Date: July 10, 2023 – **10 points**

**Applications marked “Marihuana Proposal” will be received by the City of Hartford in the Office of the City Manager at 19 W. Main St. Hartford, Michigan 49057 no later than July 10<sup>th</sup>, 2023 at 4:00pm EST. Please submit one (1) original and one (1) copy of your response to this RFP. There are no page limits and no requirements for font, margin and/or paper size. Respondents must also submit an electronic pdf file of their proposal on jump drive with their proposal.**

## Late submissions will not be accepted for any reason.

- Applications may be dropped off between 8:00am – 5:00 pm Monday through Thursday and 8:00am– 4:00pm Friday. Please note that the City of Hartford is closed on most recognized holidays.
- All proposals received and date/time stamped by the City of Hartford prior to the proposal submittal deadline shall be accepted as timely submitted. No late proposals will be accepted or reviewed. Proposals will be opened promptly at the time and date specified.
- The responsibility for submitting a proposal on or before the stated time and date is solely and strictly the responsibility of the Proposer. Proposers are responsible for informing any commercial delivery service, if used, of all delivery requirements and for ensuring that the required address information appears on the outer wrapper or envelope used by such service. The City of Hartford will in no way be responsible for the delays caused by mail delivery or caused by any other occurrence. All expenses involved with the preparation and submission of proposals to the City of Hartford, or any work performed in connection therewith, shall be

borne by the Proposer(s).

- The submittal of a proposal by a Proposer will be considered by the City of Hartford as constituting an offer by the Proposer to adhere to the marijuana Proposer services in the manner outlined in their proposal. A Proposer may submit a modified proposal to replace all or any portion of a previously submitted proposal up until the proposal due date. **The City of Hartford will consider only the latest version of the proposal.**
- Requests for additional information or inquiries must be made in writing and received by the City of Hartford' designated contact person for this Solicitation. The City of Hartford will issue responses to inquiries and may issue changes to this Solicitation it deems necessary in written addenda issued prior to the proposal due date. All respondents should carefully monitor the City's website at <https://cityofhartfordmi.org/> for FAQs and updates to the proposal as any updates will be posted **only** to the City's website and no individual notice will be provided to any proposer.
- Proposals will be reviewed by the City Manager. Any additional information will be gathered by the City Manager and a report will be assembled and final recommendations made to the City Council at a regular City Council meeting in June. Applicants are encouraged to attend this meeting. It will be held the 2<sup>nd</sup> Tuesday of the month at 7:30pm in Council Chambers located at 19 W Main St.

#### Definitions

- All definitions which can be found within the [Michigan Regulation and Taxation of Marijuana Act](#) Initiated Law 1 of 2018 and other regulated activity authorized by the Rules promulgated by the State.
- Proposer means a person who applies for a State operating license. With respect to disclosures in an application, or for purposes of eligibility for a license, the term applicant includes an officer, director, managerial employee of the applicant and a person who holds any direct or indirect ownership interest in the applicant.

#### Rules, Regulations, and Licensing Requirements

The Proposer shall comply with all laws, ordinances and regulations applicable to the services contemplated herein, especially those applicable to conflict of interest and collusion. Proposers are presumed to be familiar with all Federal, State and local laws, ordinances, codes, rules and regulations that may in any way affect the goods or services offered, including, but not limited to:

1. [Michigan Regulation and Taxation of Marijuana Act](#) Initiated Law 1 of 2018
2. "Michigan's Public Health Code 333.7410(2)" states that anyone 18 years or older who delivers a Schedule I or II controlled substance or other narcotic drug to another person on or within 1,000 feet of school property or a library shall be punished by a term of prison for at least two years or up to three times the original prison sentence under the law as well as a fine of not more than three times the original fine.

#### Proposal and Contract Expectations and Fees

- Proposers are requested and advised to be as complete as possible in their response. The City reserves the right to:
  - 1) Contact any proposer to clarify any response;
  - 2) Contact any current users of the proposer's services;

- 3) Solicit information from any available source concerning any aspect of the proposal;
  - 4) Check references;
  - 5) Conduct credit and background checks; and,
  - 6) Seek and review any other information deemed pertinent to the evaluation process.
- The City reserves the right to cancel this RFP, or to reject, in whole or in part, any and all proposals received in response to this RFP, upon its determination that such cancellation or rejection is in the best interest of the City. The City further reserves the right to waive any minor informalities or the failure of any Proposer to comply therewith, if it is in the public interest to do so. Finally, the City reserves the right to terminate the process at any time, if deemed by the City to be in its best interests.
  - The City reserves the right to reject and not consider any proposal that does not meet the requirements of this RFP, including but not necessarily limited to incomplete proposals and/or proposals offering alternate or non-requested services.
  - The City reserves the right not to award a license pursuant to this RFP. Proposals which appear unrealistic in the terms of planning, compliance or economic viability may be rejected.
  - The City reserves the right to request and evaluate additional information from any respondent regarding respondent's responsibility after the submission deadline as the City deems necessary.
  - The City may award a provisional license on the basis of initial offers received, without discussions. Therefore, each initial offer should contain the Proposer's best terms from a monetary and technical standpoint. The City reserves the right to enter into negotiations with recommended Proposer.
  - Negotiations shall be conducted with the top ranked Proposers. If, in the event the City and the top ranked Proposer cannot reach an agreement that is in the best interest of the City, the City may elect to cancel negotiations. No Proposer shall have any rights against the City arising from such negotiations or termination thereof.
  - In the event that a Proposer wishes to take an exception to any of the terms of this Solicitation, the Proposer shall clearly indicate the exception in its proposal. No exception shall be taken where the Solicitation specifically states that exceptions may not be taken. Further, no exception shall be allowed that, in the City's sole discretion, constitutes a material deviation from the requirements of the Solicitation. Proposals taking such exceptions may, in the City's sole discretion, be deemed nonresponsive.
  - Each proposal will be reviewed to determine if the proposal is responsive to the submission requirements outlined in the RFP. A responsive proposal is one which follows the requirements of the RFP, includes all documentation, is submitted in the format outlined in the RFP, is of timely submission, and has the appropriate signatures as required on each document. Failure to comply with these requirements may result in a proposal being deemed non-responsive.
  - In submitting a response, the Proposer acknowledges that the City shall not compensate the Proposer for any costs, including and not limited to submission or negotiation costs, costs of

preparation, appearances for interviews, and/or travel expenses. It is essential that the Proposers selected will have the financial resources, necessary knowledge, skills and professional experience to implement all aspects of the business operations. All operations are to be performed with the highest degree of professional standards, in compliance with local and State laws, policies, procedures, criteria and requirements.

- Due care and diligence have been used in preparation of this information, and it is believed to be substantially correct. However, the responsibility for determining the full extent of the exposure and the verification of all information presented herein shall rest solely with the proposer. The City and its representatives will not be responsible for any errors or omissions in these specifications, nor for the failure on the part of the proposer to determine the full extent of the exposures.
- Proposers shall be responsible for informing themselves with respect to all conditions, which might in any way affect the cost or performance of any of the operation. Failure to do so shall be at the sole risk of the Proposer and no relief shall be given for errors or omissions by the Proposer.
- The selected proposer shall furnish the City of Hartford original Certificates of Insurance evidencing the required coverage on the effective date of the Agreement(s) resulting from this RFP.
- By responding to this RFP, the Proposer acknowledges that for any provisional license issued as a result of this RFP, the authority to proceed with the City's licensure process is contingent upon the availability of licenses and verifiable approval from the State of Michigan's Licensing and Regulatory Affairs.
- This RFP does not represent a commitment or offer by the City to enter into contract, or other agreement with proposer. The proposal and any information made a part of the proposal will become a part of City's official files without any obligation on City's part to return it to the individual proposer. This RFP and the selected Proposers' proposals will, by reference, become a part of any formal agreement between the Proposer and the City resulting from this solicitation.
- All listed Owners of the company must sign this proposal and all agreements with an original signature.
- The Proposer shall not collude in any manner or engage in any practices with any other proposer(s), which may restrict or eliminate competition. Violations of this instruction will cause the proposal to be rejected. This prohibition is not intended to preclude joint ventures or subcontracts.
- Business owners selected and awarded provisional approval from the City of Hartford may not sell their interest in a marijuana license as part of their property exchange. This is only subject to change upon full licensing by the State of Michigan and in compliance with the City's Recreational Opt-In Ordinance

### **Submission Requirements**

The following is a description of the minimum information which must be supplied in your proposal. You may give supplementary facts or other materials that you consider may be of assistance in the evaluation.

### **Fees- 10 points**

Applicants must submit a nonrefundable fee of \$2,500 with their proposal for a provisional license. Upon approval by the State, a final fee not to exceed \$2,500 must be submitted prior to starting operations. If selected for provisional licensing by the City of Hartford, additional fees will apply for zoning, including special land use, site plan review and/or variances as applies, building, inspection and other permitting fees as appropriate including annual renewal and inspection fees if/upon final license.

### **Prequalification Notice- 10 points**

All applicants must be preapproved for Prequalification with the State of Michigan to operate a Recreational Marihuana Establishment as defined in the Acts or other regulated activity authorized by the Rules promulgated by the State and submit verification thereof with their application for provisional approval to the City of Hartford.

#### **1. Executive Summary- 10 points**

Provide a brief summary of your company's approach to the business operations associated with the requested license(s), demonstrate an understanding of the industry and licensure requirements, and approaches to be utilized in performing these services, specifically related to the rules, regulations associated with marihuana businesses.

#### **2. Business Plan, Experience & Business History- 70 points**

- A. Please provide a description of the type of marihuana establishment; and the anticipated or actual number of employees, the anticipated capital being invested and economic outcomes.
- B. Describe how long the company has been in business and current structure.
- C. Provide any other names under which the company and/or principals has done business and the dates it operated under each name and the locations at which it operated under each name.
- D. Describe the experience of the Proposer conducting comparable services.
- E. Provide a list of municipalities with which your company and/or principal's is/are currently based or has been based within the last five (5) years. If this does not include at least three municipalities, then provide the names of the municipalities for which similar services are being proposed.
  1. For each municipality include:
    - The timeframe (beginning and ending dates)
    - A brief description your experience
    - Annual revenues and expenditures
    - The name and contact information of the individuals that approved your occupancy
    - Statement or notation of whether Proposer is/was the direct Proposer or subcontractor or sub-Proposer.

#### **3. State Application- 10 points**

Please submit a copy of your submitted Phase One State Application minus your financial and tax return documents & notice of prequalification. A complete copy of your State application will be required to be on file with the City minus your financial and tax return documents should your firm be selected for provisional approval. This includes but may not be limited to: Marijuana Establishment Plans, Operation Plans, Waste Plan, Air Quality, Safety Plan, Security Plan, and Establishment Plan

#### **4. Proof of Insurance- 10 points**

- A. Please submit certification of intent to comply with the insurance requirements found within the ordinances in the form of a certified statement from the proposed insurance vendor.

- B. The policy shall name the City of Hartford and its officials and employees as additional insureds to the limits required by this section.

**5. Legal History- 40 points**

- A. Please submit those pages of your State Application that indicate whether any applicant has been indicted for, charged with, arrested for, or convicted of, plead guilty or nolo contendere to, forfeited bail concerning any criminal offense under the laws of any jurisdiction, either felony or controlled-substance-related misdemeanor, not including traffic violations, regardless of whether the offense has been reversed on appeal or otherwise, including the date, the name and location of the court, arresting agency, and prosecuting agency, the case caption, the docket number, the offense, the disposition, and the location and length of incarceration.
- B. Please submit a certified statement regarding whether an applicant has ever applied for or has been granted any commercial license or certificate issued by a licensing authority in Michigan or any other jurisdiction that has been denied, restricted, suspended, revoked, or not renewed and a Statement describing the facts and circumstances concerning the application, denial, restriction, suspension, revocation, or nonrenewal, including the licensing authority, the date each action was taken, and the reason for each action.
- C. Please submit a certified statement regarding whether an applicant has filed, or been served with, a complaint or other notice filed with any public body, regarding the delinquency in the payment of, or a dispute over the filings concerning the payment of, any tax required under federal, State or local law, including the amount, type of tax, taxing agency, and time period intervals involved.
- D. Please submit a certified statement of acknowledgement and consent that the City, including the Hartford City Police Department, may conduct a background investigation, including a criminal history check, and that the City may be entitled to full and complete disclosure of all financial records of the marijuana commercial entity, which may include any or all records of deposit, withdrawals, balances, and loans upon request.
- E. Please note that the City of Hartford may request additional information that the City Clerk, Police Chief, Fire Chief, Public Works Superintendent, Building Official, Water Superintendent, Wastewater Operator, City Manager and/or City Attorney or their designees reasonably determines to be necessary in connection with the investigation and review of the application. All requests for additional information must be submitted within the timeframe requested by the City Manager.



# Recreational Marihuana Application Cover Sheet

Company Name: \_\_\_\_\_

Owner: \_\_\_\_\_ Owner Cell: \_\_\_\_\_

Owner: \_\_\_\_\_ Owner Cell: \_\_\_\_\_

Owner: \_\_\_\_\_ Owner Cell: \_\_\_\_\_

*Please provide a copy of each owner's legal identification card or passport with this document showing their current legal address.*

Corporate Address: \_\_\_\_\_

Primary Contact: \_\_\_\_\_

Primary Contact Email: \_\_\_\_\_ Cell: \_\_\_\_\_

**Establishment Type:**

- \_\_\_\_\_ Microbusiness Class \_\_\_\_\_
- \_\_\_\_\_ Retail Establishment \_\_\_\_\_
- \_\_\_\_\_ Grow Facility Class \_\_\_\_\_
- \_\_\_\_\_ Other \_\_\_\_\_

**Initial Requirements:**

- \_\_\_\_\_ Prequalified with State of Michigan
- \_\_\_\_\_ \$2,500 License Application Fee

I affirm that by signing this affidavit, I own or am the proven agent of the company outlined in this proposal. I agree that the statements and information provided within this document are true and agree that if found not to be true in part and/or whole, that any permit that may be issued to me may be voided. Further, I agree to comply with the conditions and regulations provided with any permit that may be issued. Further, I agree that the permit that may be issued is with the understanding all applicable sections of the City of Hartford, Michigan Code of Ordinances will be complied with as applicable and appropriate.

\_\_\_\_\_  
Printed Name and Owner Signature

\_\_\_\_\_  
Date

**Must Include Notary Seal and Signature**

Subscribed and sworn to by \_\_\_\_\_ before me on the \_\_\_\_\_ day  
of \_\_\_\_\_, 2023.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Print: \_\_\_\_\_