OLDE TOWN ARVADA

TOD

REQUEST FOR QUALIFICATIONS

March 1, 2013
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To see the Appendices and additional resources, visit the project website (www.oldetowntod.org). The Appendices are not attached to this document.

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EXECUTIVE SUMMARY

The City of Arvada, the Arvada Urban Renewal Authority (AURA), and the Regional Transportation District (RTD) have formed the Executive Oversight Committee (EOC), a collaborative working group established to oversee development of an exceptional transit-oriented development (TOD) project in Arvada, Colorado. The EOC is seeking an outstanding development partner for what is widely regarded as one of the most desirable TOD opportunities in the Denver metro area.

This Request for Qualifications (RFQ) is the first step in selecting a developer that will work in partnership with the EOC to redevelop an 8.79-acre site that is directly across the tracks from the future Olde Town Arvada commuter rail station. The station, scheduled to open in 2016, is on the Gold Line, the under-construction commuter corridor component of RTD’s FasTracks rail system. RTD projects the Gold Line will serve as many as 20,000 riders on an average weekday and deliver passengers from Olde Town to Denver Union Station in just 19 minutes.

Located less than 8 miles from downtown Denver, Arvada is a thriving first-ring suburb with a population of 108,000. The City’s historic downtown is known as Olde Town, a vibrant neighborhood listed on the National Register of Historic Places that offers wide sidewalks, tree-lined streets, popular restaurants, eclectic shops, live music venues, and numerous seasonal events.

RTD selected the Olde Town site as one of only four throughout its entire system to be part of its TOD Pilot Program. The EOC’s vision for the project is a compact, pedestrian-oriented, and mixed-use development that is a place of distinct character and authenticity. The EOC will not prescribe a specific development program or site design, and instead expects the ultimate project to be the product of the selected developer’s commitment to market viability, innovation, and quality place-making.

All three EOC partner agencies are committing significant financial resources, policy support, and staff time to achieve this vision. Specifically, the agencies are poised to contribute land to the deal, sell bonds, create TIF and PIF districts, dramatically limit entitlement risk and expense, waive certain impact fees, construct a fully improved roadway through the site, and devote significant earmarked funds to the construction of a parking garage and other on-site infrastructure.

The role of the selected developer will include lead responsibility for creating a concept that responds to the EOC’s vision, developing a master plan, obtaining financing, securing land use approvals, coordinating on-site public improvements, and constructing the vertical improvements. The timetable and scope of the selected developer’s efforts and negotiations with the EOC will be guided by an Exclusive Negotiating Agreement executed soon after the team’s selection.

Responses to this RFQ are due April 8, 2013 at 2:00 PM MDT. An optional Pre-Submittal Site Tour and Conference will be held March 19 at 10:00 AM at the Arvada Library in Olde Town. The second stage of the selection process will be issuance of a brief Request for Proposals to a short list of teams based on their RFQ responses. Interviews of short-listed teams are scheduled for early June and announcement of the selected developer is anticipated in mid-June 2013.
I. THE OPPORTUNITY AND SITE DESCRIPTION

A. THE OPPORTUNITY

The City of Arvada (the City), the Arvada Urban Renewal Authority (AURA), and the Regional Transportation District (RTD) (collectively, the EOC Partner Agencies) have formed the Executive Oversight Committee (EOC), a collaborative working group established to oversee development of an exceptional transit-oriented development (TOD) project in Arvada, Colorado, known as the Olde Town Arvada TOD Project (the Project). The EOC is seeking an outstanding development partner for what is widely regarded as one of the most desirable TOD opportunities in the Denver metro area.

The EOC is offering a unique opportunity for the selected development team (the Master Developer) to play a leadership role in the creation of a new model of TOD as part of a dynamic public-private partnership. The 8.79-acre site (the Property) is located across the tracks from a future commuter rail station, has extensive frontage and visibility on a major arterial, offers broad-sweeping views, and is contiguous to a unique and thriving historic district that is a regional draw (see Figure 1).

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**FIGURE 1** Project Site and Vicinity Map
The future Olde Town Station (the Station), scheduled to open in 2016, will be located on RTD's Gold Line, a fully-funded and under-construction electric commuter corridor component of the FasTracks rail system. RTD projects the Gold Line will serve 16,800 to 20,100 riders on an average weekday by 2030, delivering passengers from the Station to Denver Union Station in just 19 minutes.

RTD’s plans call for the Station platform to be located just west of Vance Street on the north side of the existing rail tracks that run along the northern edge of the Property, with parking and eight bus bays to be accommodated on the Property. Construction of a West 56th Avenue connection will run east-west through the Property and an elevator and stairs will connect transit riders from the Property to Grandview Avenue, where riders will then have an at-grade crossing of the tracks to access the platform.

RTD’s original plan, as approved in the 2009 Gold Line Final Environmental Impact Statement (EIS), was to construct the required 400 commuter parking spaces as a surface parking lot. The EOC Partner Agencies subsequently agreed to minimize the amount of land used for commuter parking and to earmark significant funding to assist with the design and construction of a 400-space parking structure and related elevator on the Property. The EOC’s objective is to preserve premium land and to catalyze transit-oriented development of the highest and best uses. When build-out is complete, the goal for the Project is to include a mix of uses that will complement and enhance the existing character of Olde Town while creating a unique and modern sense of place for the new development. The EOC is not prescribing a specific development program or site design, but instead desires for the ultimate form and program to be a product of the Master Developer’s collaboration with the EOC and a commitment to market viability, innovation, and quality place-making.

B. PROPERTY LOCATION AND DESCRIPTION

The Property is situated immediately south of historic Olde Town Arvada and is bounded by Wadsworth Boulevard to the east, Vance Street to the west, a small retail center to the south, and Grandview Avenue/RTD rail line to the north. The majority of the Property is flat with a rise in grade at the north end of the site towards the RTD rail right-of-way. The Property covers 8.79 acres and is owned by the EOC Partner Agencies (see Figure 2).

At the present time, the Property is occupied by two parking lots (the existing RTD Park-n-Ride and the former overflow lot for the adjacent theater complex) and the former Arvada Rifle and Pistol Range (ARPR) building. The City will be conducting remediation and demolition of the ARPR building during 2013. The RTD Park-n-Ride includes stormwater detention, circulation and pull-out bays for buses, bus shelter, security lighting and street furniture.

Currently, RTD buses have access to the Park-n-Ride via Wadsworth Blvd. and Vance Street, while automobiles access the facility from Vance Street. The City plans to construct an extension of West 56th Avenue from Wadsworth Blvd. to Vance Street. This access has been approved by the Colorado Department of Transportation and will eventually become a full movement, signalized intersection.

Existing utilities on-site consist of a sanitary sewer main, storm sewer main, and underground electrical lines. The existing sanitary sewer main will be relocated as part of the construction of the new West 56th Avenue extension. The existing storm sewer main and electrical lines may need to be relocated depending on the design requirements of the Project.
FIGURE 2 Parcel Ownership Map

Legend
- TOD Site
- Parcels
- Transit Station (Planned)
- Gold Line Commuter Rail
- Station Plaza (Planned)

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<td>29</td>
<td>N/A</td>
<td>COLORADO DEPT OF TRANSPORTATION</td>
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The far northern end of the Property contains a historic trolley bed that was identified in the EIS. Based on subsequent studies conducted by the City, this feature may be in fact considerably smaller than originally mapped. The City is currently working with RTD, the State Historic Preservation Office, and the Federal Transit Administration (FTA) to refine the boundaries of the historic feature.

As previously mentioned, when the Gold Line begins operation, the Property will be just a 19 minute train ride to Denver Union Station (DUS), the region’s primary transportation hub. From Union Station it is a quick walk or ride on the 16th Street Mall Shuttle to the Central Business District’s 112,000 jobs. Also nearby is the Auraria Higher Education Campus, home to the Community College of Denver, Metropolitan State University, the University of Colorado Denver, and the institutions’ combined 44,000 students.

Travelers arriving in Denver on the Gold Line will be able to walk or use transit to reach major sports venues like Sports Authority Field at Mile High, the Pepsi Center, and Coors Field. After the game some of Denver’s trendiest urban neighborhoods are within walking distance and are full of some of the best bars and restaurants in the region. Those looking to travel beyond downtown can use the DUS hub to connect to other RTD lines to reach Denver International Airport or other major employment hubs like the Denver Technology Center.

The bus routes serving the Station and their frequencies have not yet been finalized, but it has been determined that they will provide north-south connectivity along Wadsworth Blvd. to Broomfield and Lakewood, as well as local east-west cross-town connectivity (see Appendix 1 for a map of planned bus routes and frequencies). The Property will connect with the strong pedestrian network of Olde Town as well as the local trail and pathway system.

II. ABOUT ARVADA AND OLDE TOWN

A. OVERVIEW OF ARVADA

Established in 1870, Arvada, Colorado is a thriving first-ring suburb of Denver with a population of approximately 108,000. Arvada enjoys a rich history, a vibrant historic downtown, quiet tree-lined neighborhoods, a small town feel, and a robust mix of businesses. The City’s strong civic leadership balances quality of life with an understanding and support of business and economic development.

Arvada is located in Jefferson County and has a land area that encompasses approximately 36.5 square miles. Three proximate interstate highways (I-70, I-76, and I-25) provide easy access to the Denver metro region, including downtown Denver (10 minutes), Boulder (20 minutes), and Denver International Airport (30 minutes) (see Figure 3).
Arvada is graced with an extraordinary park and recreation system that punctuates the community with nearly 4,000 acres of open space, 90 city parks, 52 playgrounds, and 70 fields that are programmed for a wide range of recreational activities. In addition, Arvada has an extensive network of over 230 miles of trails and bike lanes that link to Denver trails on the east and the Rocky Mountain foothills to the west.

Arvada takes great pride in the Arvada Center for the Arts and Humanities, one of the largest multidisciplinary art and cultural centers in the country, located less than two miles from the Property. Since its inception in 1976, the Arvada Center has offered year-round concerts and performances in theater and dance; art exhibitions; a history museum; and classes in ceramics, dance, writing, acting, and the visual and musical arts. With more than half of its patrons coming from outside of Jefferson County, the Arvada Center’s influence extends beyond its name, serving more than 350,000 visitors each year.

Arvada’s diverse economic base, highly educated workforce, historically low crime rates, and superb quality of life have helped shape the community into one of the most attractive and competitive cities in Colorado. Amongst other recognitions, Arvada has been ranked by *TIME Healthland* as #6 on the Most Active Cities in the U.S. list. Arvada residents and businesses have easy access to world-class research institutions including the University of Colorado, Colorado School of Mines, and the Arvada campus of Red Rocks Community College.

B. ABOUT OLDE TOWN ARVADA

The City’s historic downtown, known as Olde Town Arvada and listed on the National Register of Historic Places, provides a boutique shopping and dining experience. This turn-of-the-century downtown consists mainly of older, renovated buildings accompanied by beautiful streetscapes with wide sidewalks, tree-lined streets and parking improvements. This vibrant neighborhood is anchored by popular restaurants, eclectic shops, and destination live music venues.

The heart of downtown is Olde Town Square, which has an interactive fountain for children to play in and is home to a farmers market, Flicks in the Square, and countless seasonal festivals. In the center of Olde Town is a beautiful new main library that draws over 40,000 visitors a month. In 2011, Olde Town was named a finalist for the Denver Regional Council of Governments Live, Work, Play Awards.
Existing land uses in Olde Town are oriented to boutique retail, restaurants, and some office space, with retail and residential land uses north, east, and west of the Station having a historic character. South of Grandview Avenue, the existing uses include the Landmark Olde Town Stadium Theaters (14 screens), food establishments, and major retailers along Wadsworth Boulevard (the primary north-south arterial in the area) that include Costco, Lowe’s, Home Depot, Sam’s Club, Sports Authority, PetSmart, and OfficeMax. Adjacent to Olde Town on its southwest side is the new Water Tower Village, a leafy urban neighborhood with detached sidewalks, alley-loaded garages, and pocket parks. Over 1,700 people live within a mix of row-houses, cottages, lofts and apartments. (See Figure 4 for a map showing the uses in the vicinity of the Property.)
The City and AURA have made a substantial investment in infrastructure in Olde Town in recent years, with significant additional improvements planned (see Table 1 for a list of some of these investments and Figure 5 for a map of their locations). One of the benefits of these improvements is that the existing utility system is well equipped to handle the desired redevelopment of the Property without major improvements to the off-site water or sewer systems.

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<th>Status</th>
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<td>4</td>
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<td>Wolff Park Design and Construction</td>
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<td>and Yukon and Independence Streets</td>
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<td>9</td>
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<td>(Pavers and Lighting)</td>
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<td>Historical Signs)</td>
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<td>Structured RTD Commuter Parking (on Property)</td>
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**Table 1** Public Investments In Olde Town
FIGURE 5 Olde Town Public Investment Sites
III. THE EOC AND ITS PARTNER AGENCIES

A. ABOUT THE EOC

As described further below, certain portions of the Property are owned by each of the EOC Partner Agencies. Since 2010, these three organizations have been working collaboratively to prepare for the arrival of the FasTracks Gold Line station at Olde Town and to ready the Property for transformation into a mixed-use, transit-oriented development. To formalize the working relationship and facilitate decision making, the three agencies entered into a Memorandum of Understanding (MOU) (provided in Appendix 2) that established the EOC. On behalf of the Partner Agencies, the EOC has issued this RFQ to select a Master Developer for the Project.

Below is an overview of each Partner Agency’s ownership interest in the Property and its primary role in the Project, as well as a more detailed description of the EOC structure.

**City of Arvada**
- Owns 1.66 acres of the Property
- Desires structured parking and dense development rather than surface parking
- Has earmarked funds for the design and construction of a parking structure(s) for the required RTD commuter spaces
- Will fund the West 56th Avenue extension

**AURA**
- Owns 1.01 acres of the Property
- Created an urban renewal area to facilitate redevelopment of the Property
- Will use urban renewal tools to assist with achievement of the Project
- Will act as the lead negotiator for the EOC

**RTD**
- Owns 6.12 acres of the Property
- Requires 400 parking spaces, an elevator, and eight bus bays by opening day in 2016
- Identified Olde Town as a TOD Pilot Program within its FasTracks program
Executive Oversight Committee

The EOC is made up of seven voting members representing the three EOC Partner Agencies. Additional staff from the three agencies will advise the committee. The agencies will be represented by senior staff members as shown in Table 2, below. The EOC’s duties and authority include:

- Representing the interests of the three EOC Partner Agencies
- Hiring and overseeing an Owner’s Representative
- Issuing an RFQ and RFP, interviewing candidates, and selecting a Master Developer
- Coordinating with elected and appointed officials
- Facilitating negotiation of the financial and legal terms of the development with the Master Developer and shepherding necessary reviews and approvals from each Partner Agency.

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<th>Agency</th>
<th>Voting Staff Members</th>
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<td>Director of Community Development</td>
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<td>Assistant General Mgr. for Capital Programs (or designee)</td>
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<td></td>
<td>Assistant General Manager for Safety, Security, and Facilities (or designee)</td>
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TABLE 2 EOC Voting Members

B. ABOUT THE CITY OF ARVADA

The City of Arvada operates under a Council-Manager form of government. It is a representative system where power is concentrated in the elected City Council and where the Council hires a professional City Manager to oversee the delivery of public services. The City is divided into four Council districts. Residents of each district elect a Council member who lives within the district and represents the concerns of that district. The Mayor and two other Council members are elected at-large and represent the entire City. Arvada is a Home Rule municipal government, meaning that it has broader latitude under the Colorado Constitution to enact legislation than do statutory municipal governments.
Working under the City Manager, the administrative function of the City is conducted by ten departments. Coordination among the departments is accomplished through an Executive Management Team composed of the City Manager, department directors, and the Executive Director of AURA (even though it is a separate governmental entity). The Council also has one representative on the AURA Board of Directors, further ensuring effective coordination.

Under current City land use regulations, the Property is zoned PUD-BPR (Planned Unit Development – Business, Professional, Residential), which allows for a mix of uses, but is not ideal for TOD. The City is currently drafting new zoning regulations and related development standards for use at its three TOD sites. The new zoning district is designed to promote development consistent with the City’s vision and planning goals and to facilitate a streamlined entitlement process requiring only administrative review (current zoning requires a public hearing). The City will delay finalization of the new zoning regulations until a Master Developer has been selected and can provide its input. Once completed, the Land Development Code amendments will be approved by City Council. The City intends to then initiate rezoning of the Property so the new regulations will guide future development.

Arvada’s foresight and commitment to achieving first-rate TOD at its three planned Gold Line stations has been evident for most of the last decade, as represented by a number of substantial policy efforts undertaken by the City and AURA. These efforts not only demonstrate the significance of the Project to the community, but also reflect these agencies’ proactive stance and willingness to devote resources (see Table 3 for a list of these studies and policy efforts).

<table>
<thead>
<tr>
<th>Policy Effort</th>
<th>Description</th>
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<tr>
<td>Arvada Transit Station Framework Plan</td>
<td>Establishes the vision, urban form and circulation for each of Arvada’s three Gold Line stations</td>
<td>2007</td>
</tr>
<tr>
<td>Olde Town Station Urban Renewal Plan</td>
<td>Outlines a redevelopment plan for the Olde Town area</td>
<td>2009</td>
</tr>
<tr>
<td>Pedestrian and Bicycle Access Plan for Arvada TOD Sites</td>
<td>Plans for pedestrian and bicycle access for each of Arvada’s Gold Line stations</td>
<td>2009</td>
</tr>
<tr>
<td>Olde Town Parking and Transportation Demand Plan</td>
<td>Recommends strategies to address parking and transportation demand</td>
<td>2010</td>
</tr>
<tr>
<td>New Zoning District and Design Guidelines for Olde Town Arvada</td>
<td>New zoning districts and Design Guidelines establish uses, building forms and other standards</td>
<td>2013</td>
</tr>
<tr>
<td>Mixed-Use TOD Zoning and Design Guidelines</td>
<td>Drafted for TOD stations to facilitate efficient permitting. To be finalized in collaboration with selected Master Developer.</td>
<td>TBD</td>
</tr>
</tbody>
</table>

*TABLE 3* Recent Policy Efforts to Promote TOD
C. ABOUT AURA

The Arvada Urban Renewal Authority is responsible for revitalizing urban areas designated throughout Arvada by creating successful, high-quality projects that will help produce a vibrant cohesive community and enhance the quality of life for the citizens of Arvada. AURA is an independent body, corporate and politic under the State of Colorado law. AURA is governed by a seven member volunteer board (URA Board) appointed by the Mayor and approved by City Council. The AURA Board works under a common vision dictated by an urban renewal plan approved by the Arvada City Council.

Under State law, AURA is charged with assisting the City in eliminating and preventing the occurrence of blight. To carry out this mandate, AURA works in collaboration with elected officials, City administrators, private developers, financing sources, as well as the community. Arvada has one of the most successful and active urban renewal authorities in the state. To date, AURA has invested over $75 million in revitalizing neighborhoods in Arvada. AURA’s activities have been very broad, including financing retail centers, historic renovations, and creating urban residential villages. AURA acquires property, invests in developments, acts as either the owner or a general contractor, and brings a unique combination of creative problem solving and financing to support each deal.

AURA has five active urban renewal districts and one completed district (see Table 4 and Figure 6 for a description and location map of the districts, respectively). The Property is located within the Olde Town Station Urban Renewal Area. (See www.arvadaurbanrenewal.org for additional information about AURA).

<table>
<thead>
<tr>
<th>District</th>
<th>Key Components</th>
<th>Years</th>
<th>Acres</th>
</tr>
</thead>
</table>
| Olde Town Station         | » Investment to date: $2 million  
» Project: Park Place Olde Town – 5 story, 152 unit, market rate apartment building (proposed) | 2009-2034 | 102   |
| Ralston Fields            | » Investment to date: $15 million  
» Project: Arvada Station - 386 market rate apartment units  
» Project: Super Target anchored shopping center  
» Project: Walmart at Arvada Plaza Shopping Center (proposed) | 2003-2028 | 543   |
| Modified Jefferson Center | » Projects: Two power plants                                                   | 2003-2028 | 60    |
| Northwest Arvada          | » Investment to date: $21 million  
» Project: Candelas master planned community                                   | 2010-2035 | 2,032 |
| City Center               | » Investment to date: $35 million  
» Project: Water Tower Village – 600 units  
» Project: Revitalization of Olde Town Arvada  
» Project: Retail Center at Wadsworth Blvd. north of I-70 | 1981-2006 | 534   |
| Village Commons           | » Investment to date: $2.8 million                                             | 2008-2033 | 3     |

**TABLE 4** AURA Urban Renewal Districts
FIGURE 6   AURA Urban Renewal Districts
D. ABOUT RTD

RTD is a political subdivision of the State of Colorado statutorily authorized to operate the mass transportation system for the Denver metropolitan region and governed by a 15-member, publicly-elected Board of Directors, each of whom is elected to represent a specific geographic district. RTD currently operates 148 bus routes and 35 miles of light rail over a 2,300 square mile service area and had annual boardings in 2011 totaling nearly 100 million.
In 2004, the voters in the RTD service area approved a 0.4 percent sales tax to build out the FasTracks Program, which included 122 miles of light rail and commuter rail and 18 miles of Bus Rapid Transit (BRT). The FasTracks program will add approximately 60 new stations along six new corridors and extensions to three existing lines (see Figure 7 for a map of the existing and planned FasTracks corridors).

In 2010, RTD entered into a public private partnership with Denver Transit Partners (DTP) to design, build, operate, finance and maintain the Eagle P3 Commuter Rail Project. The project includes the 22.8 mile East Corridor from DUS to Denver International Airport, the 6.2 mile Northwest Rail Segment One from DUS to South Westminster, and the 11.2 mile Gold Line Corridor from DUS to Wheat Ridge (see Figure 8 for the Gold Line Map).
OLDE TOWN ARVADA

The 11.2 mile Gold Line Corridor will run through Denver, Adams County, Arvada, and Wheat Ridge when it opens in 2016. In Arvada, there will be three commuter rail stations: Sheridan, Olde Town, and Arvada Ridge. The preliminary operating schedule for the Gold Line has trains running from 4:30 AM to 12:30 AM, with 15-minute headways between 6:00 AM and 8:00 PM and 30-minute headways during off-peak hours. Per the Gold Line EIS, Olde Town Station is required on opening day to have 400 surface parking spaces (assumed to transition to a parking structure), accommodations for eight bus bays, and an ADA-compliant elevator connecting the commuter parking to Grandview Avenue at the northern edge of the Property (collectively, the Transit Elements). The proposed concept design from the EIS is shown in Appendix 3.

In the year subsequent to completion of the EIS, the RTD Board of Directors approved the TOD Pilot Program that allows RTD to be proactive in achieving TOD around its new stations. The purpose of the program is to foster sustainable development related to transit by promoting strategic parking management, flexible utilization of RTD property, and public-private partnerships. Four station sites were selected to test out this new role, of which the Olde Town Arvada Station is one (the others are the Alameda and Welton Stations in Denver and the Federal Center Station in Lakewood).

The TOD Pilot Program represents a paradigm shift at RTD to embracing the integration rather than the separation of development and transit (see Appendix 4 for RTD’s TOD Design Criteria, which provides guidance to developers and local jurisdictions on integrating transit stations with development). To this end, RTD will bring a full commitment of staff and consultant resources to bear on the Project, is willing to reinvest land proceeds (from the 6.12-acre portion of the Property that it owns) and other committed funds to the deal, and will lead efforts to expeditiously address federal requirements associated with the Transit Elements. (The redevelopment of Denver Union Station, along with two other smaller projects that will break ground later this year, at Alameda Station and Boulder Junction, demonstrate RTD’s heightened commitment to TOD implementation and its ability to work collaboratively in partnership with local jurisdictions and private developers.)

Since 2010, RTD has been working with the City and AURA to accelerate the transition to structured parking in order to facilitate the implementation of TOD on the Property. To that end, RTD intends to consolidate its transit operations and will no longer require all of its property on which it currently operates the Olde Town Arvada Park-n-Ride. Accordingly, RTD has entered into an Inter-Governmental Agreement (IGA) with the City regarding construction and funding of the Transit Elements (see Appendix 5 for the IGA). The IGA creates a funding mechanism for the Transit Elements and ensures they will be delivered in accordance with RTD’s schedule. The IGA also provides a back-up plan whereby RTD will deliver the required transit improvements by opening day of the Station in the event that the EOC is unable to secure and reach agreement with a Master Developer within the required timeframe.

E. PUBLIC FINANCING FOR THE PROJECT

Both politically and financially, the City and AURA have consistently reaffirmed that the Olde Town TOD Project is the single most important land use priority in the city. As such, both agencies are poised to utilize the full extent of their respective public financing resources to achieve their goals for the Project in partnership with an equally committed Master Developer.

AURA has the ability to use Tax Increment Financing (TIF) from property, sales and lodging taxes. These taxes can be leveraged to help finance infrastructure and provide necessary public improvements for development. AURA also has the ability to buy and sell land and to issue bonds. Over the past three decades, AURA has utilized TIF successfully in all six of
its redevelopment districts. Other tools that AURA has historically utilized include public improvement fees, subsidies for land acquisition, and facilitating the creation of metro districts.

The City can support development with financial mechanisms that include discounting land acquisition for land it owns (when consistent with TOD principles), contributing resources towards associated public improvements, and the in-lieu provision of on- or off-site infrastructure. The City finances public improvements through its capital improvement program and grants where they are available. All of the infrastructure improvements noted as “Planned” in Table 2, have funds allocated to them in the City’s budget. In addition, as part of its planned amendments to the Land Development Code to facilitate TOD, the City may waive park impact fees within one-half mile of a transit station (park-related improvements would instead be financed through the capital improvement program). School fees, while required in other areas of the city, are already waived in TOD zones.

As demonstrated through its designation of the Olde Town Arvada Station as one of only four FasTracks TOD Pilot Projects and its extensive work with the City and AURA, RTD is similarly committed to devoting financial resources to the achievement of the Project. RTD resources are limited to supporting components of the TOD that are defined as “transit elements.” Expenditures that fit this definition include facilities and amenities that will explicitly serve the Station, including the bus bays, commuter parking, as well as pedestrian and bicycle connections to the Station such as public walks, plazas, and the public elevator.

All of the RTD funding sources available have a federal component, and as such, construction of any facilities with these funds must follow federal procurement requirements. RTD has removed construction and maintenance of the Transit Elements from the Eagle P3 contract and will allocate the corresponding $2.6 million and additional funds to the Project. RTD can also reinvest proceeds from the sale of it’s portion of the Property into the Project.

F. PROJECT APPROVAL PROCESS

A summary of all review and approvals that may be required by the EOC and each of the three EOC Partner Agencies is listed below:

EOC

• Selection of the Master Developer
• Approval of an Exclusive Negotiating Agreement
• Approval of a Project Master Plan
• Approval of a Project Financing Plan
• Negotiation of the terms of a development and facilitation of approval by the EOC Partner Agencies
• Approval of any additional agreements with the EOC Partner Agencies that may be required based on the structure of the business transaction with that entity
CITY

- **Land Use and Zoning**: As described above, the Property will be subject to newly implemented TOD zoning that is expected to facilitate land use authorization at the administrative level.

- **Building Permits**: All permits for vertical and horizontal development will be issued by the City.

AURA

- **Disposition and Development Agreement (DDA)**: A DDA is a contract that combines the for-sale provisions and the development requirements of the Master Developer. A DDA that stipulates the specific financial participation by AURA will be required if AURA makes any financial commitment (including TIF) to the Project. A DDA requires approval by the AURA Board and is negotiated by staff. No City approval or City public hearing will be required for a DDA.

RTD

- **Operations**: Once a master plan has been proposed by the Master Developer, RTD staff will review the plans for the Transit Elements to ensure the plans meet RTD’s operational and maintenance needs as well as its construction standards.

- **Real Property**: RTD’s property was purchased with federal funds, and as such has a “federal interest.” In order to sell its property, RTD will initiate and lead a process to secure from FTA the following: i) disposition instructions from the FTA; ii) determination of “fair market value,” per federal requirements; and iii) retention of continuing control over the Transit Elements.

Disposition of federalized property is allowed only if it is no longer needed for transit use and if the property is appraised and sold at “fair market value.” Once a master plan is developed, RTD will coordinate with the Master Developer to determine which property is excess and will coordinate the disposal with FTA. As noted in Section III.E, above, while the value of the property being sold must be appraised according to federal requirements, proceeds from the sale of the property may be reinvested in the Transit Elements of the Project.

RTD must also demonstrate to the FTA its retention of “continuing control” in the Transit Elements on the Property, meaning a permanent first position property interest (i.e., not subject to higher priority liens that could be foreclosed). This can take a variety of forms, including a permanent easement, fee simple estate with a ground lease or air rights lease, or a condominium interest. As the Project moves forward, RTD will work with the Master Developer to determine the most appropriate form of ownership that meets these requirements and is best suited to the Project.

- **Environmental**: Any changes to the plan that was analyzed in the EIS, including the location of the elevator and the provision of surface parking, require environmental evaluation by FTA. RTD has initiated discussions with FTA regarding these planned changes and will lead the process to secure FTA approval.

- **Joint Development**: If federal funds will be mixed with private funding sources and RTD Transit Elements are co-located with private uses (e.g., a shared-use parking structure), the FTA may need to approve a joint development application that shows the breakdown of public transit use vs. private use and federal vs. private investment.
IV. PROJECT VISION AND GOALS

A. PROJECT VISION

The vision for the redevelopment of the Property is to promote an Olde Town Station area that is dense, walkable, mixed-use, and a vibrant 18-hour downtown where people from throughout the region come to shop, dine, work, play, learn, and live. The result will be a highly desirable destination not just for Arvada, but for the Denver metro region because of its unique character, authenticity, and variety of uses. The character of the Project will be of a vibrant urban village that respects its historic context, but provides new opportunities for living, employment, shopping, dining, and cultural experiences in a forward looking approach.

Examples of Quality TOD in Other Cities
B. PROJECT GOALS

1. Mixed-Use. The Project will have a mix of land uses that creates a vibrant environment throughout the work day and evening hours. Residential development will preferably be mixed-income. If feasible, specific uses will include a hotel and grocery store. The mix of uses will be compatible with Olde Town and clearly supported by market demand.

2. Multimodal and Connected. The Project will capitalize on the substantial public investment in transportation infrastructure, including the new Station, accommodation for transferring buses, and the extension of West 56th Avenue. The desired result will be the primacy of transit, pedestrian and bicycle modes and the minimization of the use of automobiles to the extent feasible.

3. Quality Place-Making. The character will be distinct, yet complementary to the Olde Town district. The urban form will be compact, have activated ground-floor spaces, and create a distinctly attractive public realm. Vertical development will include structures up to six stories that have a human scale, front onto the street, and have dynamic ground floor spaces that create an urban feel while also preserving (at least partially) the “grand view” from Grandview Avenue.

4. High Quality Pedestrian-Oriented Environment. Wide sidewalks along Vance Street and West 56th Avenue will denote the area as a pedestrian friendly environment. The Vance Street streetscape will tie the Project to Olde Town through the use of similar or complementary hardscape, lighting, and street furniture. West 56th Avenue will be designed as an urban street with on-street parking, bike lanes, and street trees. Structures will be designed thoughtfully and contextually and constructed with high quality materials.

5. Promote Olde Town Economic Vitality. Uses will be complementary with those of Olde Town. To promote pedestrian activity between the Project and Olde Town, the Project design will minimize to the extent possible the impact of the grade shift from the Property to Grandview Avenue.

6. Efficient Delivery of Public Improvements. By opening day of the Station, the Project will deliver the Transit Elements. The manner in which the parking spaces are delivered (i.e., surface vs. structure) can be implemented in phases as long as a plan has been approved for replacing surface parking in future phases consistent with the IGA. Additional parking beyond required commuter parking will be minimized to the extent possible through shared parking and other methods.

7. Sustainable Community. The Project will incorporate sustainable development practices into the design and implementation of development. The application of LEED-ND principles and ultimate attainment of LEED-ND certification are encouraged.
C. ROLE OF MASTER DEVELOPER

The primary responsibility of the Master Developer is to realize the vision put forth by the EOC to transform the Property into a high quality TOD project. To that end, it is the EOC’s strong preference that the Transit Elements and construction of the West 56th Avenue extension (all of which must be in place by opening day of the Station) be achieved through incorporation into the Project by the Master Developer (with the assistance of public financing). If, however, that is not feasible, RTD and the City will move forward and construct these components as independent public projects, at which point the public financing utilized for these components will no longer be available for the Project.

The Master Developer will have lead responsibility for creating a Project concept that responds to the Project vision, developing a master plan, obtaining financing, securing land use approvals, constructing Project improvements, and coordinating public improvements on the Property. The EOC, including each of its individual Partner Agencies, will work in partnership with the Master Developer to deliver the necessary resources to ensure the Project achieves mutually agreed upon financial, design, and programmatic targets.

More specifically, the Master Developer’s responsibilities for the Project will include:

- Negotiating an Exclusive Negotiating Agreement (ENA);
- Preparing a master plan that achieves the Project vision and goals;
- Conducting feasibility and market studies necessary to support the master plan;
- Complying with FTA requirements and assisting RTD to secure necessary FTA approvals;
- Negotiating and executing a DDA with AURA and any necessary additional legal agreements with the individual EOC Partner Agencies;
- Negotiating a Project Financing Plan that details public and private finance sources and uses;
- Securing all necessary private sources of equity and debt to fund development;
- Financing the cost of the Project, including pre-development and development costs;
- Coordinating the design and construction of the West 56th Avenue extension and the Transit Elements;
- Designing and constructing required infrastructure and public realm improvements;
- Vertical development and/or sale and assignment of development rights;
- Complying with the City’s Transit Station Framework Plan, RTD’s TOD Design Criteria, and other policy guidelines;
- Complying with City of Arvada land use regulations and securing any required land use approvals and building permits;
- Acquiring the Property per the terms of any negotiated agreement;
- Establishing and managing any Project-specific financing districts (i.e., a metropolitan district);
- Coordinating with the City and RTD to meet the timeframes established by the IGA for design and construction of the Transit Elements; and
- Coordinating with EOC Partner Agencies for the ongoing operations and maintenance of public infrastructure.
V. MASTER DEVELOPER SELECTION PROCESS

A. SELECTION PROCESS APPROACH

The Master Developer selection process is designed to identify the team with the greatest capacity, experience, interest, and vision to execute the Project. The EOC is aware that developers and their consultants have many competing demands for their time and resources. Therefore, the EOC will manage the selection process as efficiently as possible and request only information essential to making a thorough decision.

The EOC will utilize a three-step process to select a Master Developer. The first step is this RFQ. The EOC will evaluate the Statement of Qualifications (SOQs) submitted by interested prospective development teams (the Respondents) to determine which Respondents are the most qualified to successfully deliver the Project. The EOC is anticipating to short list a maximum of four of the most qualified Respondents, although it retains the right to expand the short list and to make a selection based on responses to the RFQ or to not move forward to the RFP phase if it deems RFQ submittals to be insufficient or otherwise unsatisfactory. The EOC also reserves the right to interview or request additional information from any or all Respondents to assist in identifying the short list.

After short listing the most qualified Respondents, the EOC will issue a Request for Proposals (RFP) for the Project to the short list (see Section V.F, below, for additional information about the RFP). Short listed teams will have approximately one month to respond to the RFP. Following analysis of RFP responses, the EOC reserves the right to reject all proposals or to move immediately to selection of a Master Developer. The EOC reserves the right to assess and determine the most qualified Respondent(s) in its sole and exclusive discretion.

The third step of the selection process will be team interviews. Some or all of the teams submitting responses to the RFP will be interviewed. Interviews are currently scheduled for two weeks after the submittal deadline for proposals. Subsequent to the interviews, a ranking of the teams will be completed (see Section V.E, below, for selection criteria) and the EOC will announce its selection of a Master Developer.

Negotiations of an ENA with the Master Developer will begin immediately after the team’s selection. A draft ENA will be provided to the Master Developer at or around the RFP stage. The ENA will establish timeframes, responsibilities, critical path items, and the process for decision-making, but will not include business terms, which instead will be negotiated in a DDA with AURA and other agreements with the individual EOC Partner Agencies.
B. SELECTION AND NEGOTIATION SCHEDULE

The schedule for the selection and negotiation process is provided below in Table 5.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 1, 2013</td>
<td>Request for Qualifications Issued</td>
</tr>
<tr>
<td>March 19, 2013, 10:00 - Noon</td>
<td>Optional Pre-Submittal Site Tour and Conference</td>
</tr>
<tr>
<td>March 26, 2013, 2:00 PM MDT</td>
<td>Deadline for Submitting Written RFQ Questions</td>
</tr>
<tr>
<td>April 2, 2013</td>
<td>Final EOC Response to RFQ Questions</td>
</tr>
<tr>
<td>April 8, 2013, 2:00 PM MDT</td>
<td>Statement of Qualifications Submittal Deadline</td>
</tr>
<tr>
<td>April 17, 2013</td>
<td>Development Team Short List Announced</td>
</tr>
<tr>
<td>April 17, 2013</td>
<td>Request for Proposals Issued to Short List</td>
</tr>
<tr>
<td>May 17, 2013</td>
<td>Proposals Submittal Deadline</td>
</tr>
<tr>
<td>June 3, 2013</td>
<td>Development Team Interviews</td>
</tr>
<tr>
<td>June 11, 2013</td>
<td>Master Developer Selected</td>
</tr>
<tr>
<td>July 15, 2013</td>
<td>Exclusive Negotiating Agreement Executed With Master Developer</td>
</tr>
<tr>
<td>March 31, 2014</td>
<td>DDA and Related Agreements Executed With Master Developer</td>
</tr>
</tbody>
</table>

As indicated in the table above, a Pre-Submittal Site Tour and Conference will be held on Tuesday, March 19, 2013 from 10:00 AM - Noon. The event will be held at the Arvada Library located in Olde Town at 7525 W. 57th Avenue. The conference will include an overview of the Property and opportunity, a walking tour of the Property (weather permitting), and Q and A. Attendance at the conference is optional, but strongly encouraged.
C. EOC CONTACT

Dan Cohen of Urban Investment Group, LLC has been engaged by the EOC to serve as the Owner’s Representative. To preserve the competitiveness and integrity of the selection process, prospective Respondents are to direct all communications regarding this solicitation via email to Mr. Cohen. (All decisions regarding selection of a Master Developer will be made exclusively by the EOC; Mr. Cohen will not have a vote in the EOC’s decision making related to selection.) Mr. Cohen’s contact information is as follows:

Mail: Dan Cohen
Olde Town TOD Owner’s Representative
c/o AURA
5601 Olde Wadsworth Blvd., Suite 210
Arvada, CO 80002

Email: dan@urbaninvestmentgroup.com

The EOC will be utilizing a website to share information concerning the Project and this solicitation. The Project website address is www.oldetowntod.org. The Project website provides a number of documents in addition to a copy of this RFQ. It will also include notices concerning important dates and events. Prospective Respondents are encouraged to check the site regularly for new information and updates.

D. QUESTIONS, CLARIFICATIONS, AND ADDENDA

Outside of questions at the Pre-Submittal Conference, once the RFQ has been released, questions and requests for clarification regarding this RFQ must be submitted by Respondents via email directly to the Owner’s Representative or through the Project website. To be considered, all questions and requests must be received by 2:00 PM on March 26, 2013.

The EOC will use the Project website to provide written responses to all questions (without attribution), clarifications, and RFQ addenda. Prospective Respondents are encouraged to submit to the Owner’s Representative via email their interest in the opportunity, their desire to receive all additional information that may be issued, and the contact information for one individual representing their team. The Owner’s Representative may choose to send e-mail updates to prospective Respondents that have provided him with this information. No information other than that flowing through these channels will be provided once the RFQ has been released.

This RFQ may be revised at any time before SOQs are due. Such revisions, if any, will be announced by addenda to this RFQ on the Project website. Respondents will be responsible for checking the website for updates.

During the Project procurement process, commencing with issuance of this RFQ and continuing until selection of a Master Developer or cancellation of procurement, no employee, member, or agent of any Respondent shall have ex parte communications regarding this procurement with any member of the EOC (including staff and elected or appointed officials) or any contractors, consultants, etc. associated with the procurement. Communications expressly permitted by this RFQ, or subsequent to issuance of the RFP, communications expressly permitted by the RFP, are excepted. Any Respondent
engaging in such prohibited communications may be disqualified at the sole discretion of the EOC.

E. SOQ EVALUATION CRITERIA

The criteria described below are among those to be used in evaluating SOQs and determining which Respondents teams will be short-listed to proceed to the second phase of the selection process. Respondents are encouraged to provide answers that are as complete as possible, with specific data, references to previous projects, and substantiation and third party validation where possible. Thorough, candid, forthcoming, and relevant responses will be given full consideration.

The EOC reserves the right to determine the responsiveness of each submission and may reject any SOQ deemed incomplete or non-responsive. The EOC will evaluate each SOQ based upon the following criteria (in no particular order):

1. Responsiveness to the RFQ
2. Qualifications of the Team
3. Quality of Completed Projects
4. Experience with TOD, Mixed-Use, and Urban Infill Projects
5. Experience with Public-Private Partnerships
6. Approach to the Project
7. Demonstrated Financial Capacity and Acumen
8. Good Standing with the EOC Partner Agencies

F. RFP APPROACH AND PROCESS

The RFP will elicit information that will allow the EOC to more deeply evaluate each Respondent’s approach to the development and implementation of the Project, as well as their financial capacity and expectations. Specific information that will be required in response to the RFP is listed below, but additional information may be required based on issues that arise during the RFQ stage of the process.

1. Project concept – A narrative of the team’s concept for the Project.
2. Project Plans – Concept plans that support the concept narrative and address: a) Location of the Transit Elements; b) Proposed mix of uses and associated parking; c) The West 56th Avenue extension; and d) Public spaces.
3. Deal Structure – A more detailed outline of the proposed deal structure, including types of public financing, approach to Property acquisition, phasing, and infrastructure and vertical development. No pro forma will be required.
4. Pre-Development Strategy – Identification of, approach to, and timetable for pre-development activities.
5. Financial Capacity Information – Audited financial report or an independent accountant review and narrative.
6. Schedule – Agreement to the proposed schedule.

7. Security Deposit – Agreement to requirement for a security deposit to be provided by the Master Developer. Deposit will be refundable upon compliance with milestones agreed to in the ENA.

VI. STATEMENT OF QUALIFICATIONS REQUIREMENTS

SOQs should be comprehensive, accurate, and concise presentations of the requested information. To facilitate the review of SOQs by the EOC, all submittals must follow the schedule, format, and content requirements as detailed herein in order to be considered responsive to this RFQ.

A. SCHEDULE REQUIREMENTS

Responses to the RFQ may be submitted any time before the deadline of Monday, April 8, 2013, 2:00 PM MDT. Responses must be received prior to the deadline in order to be considered (postmarked prior to the deadline will not suffice). Responses are to be delivered to the attention of the Owner’s Representative at AURA’s offices located at 5601 Olde Wadsworth Blvd., Suite 210, Arvada, CO 80002.

B. FORMAT REQUIREMENTS

1. Ten (10) bound hard copies of the SOQ shall be submitted along with one electronic copy on a CD or USB drive.

2. SOQs shall be printed double-sided on 8.5” x 11” paper (single-sided 11” x 17” foldouts may be included as necessary).

3. SOQs shall not exceed a total of 50 pages, all inclusive (double sided pages count as two).

4. Page numbering is greatly appreciated.

C. CONTENT REQUIREMENTS

1. SOQ Cover – Include the Project title (“Olde Town Arvada TOD”), Respondent’s name, and submittal date.

2. Cover Letter – The cover letter shall summarize the major points contained in the SOQ; provide the name, address, email address, and telephone number of the contact person for the Respondent; acknowledge the receipt of any amendments to this RFQ that may have been issued; and be signed by an officer or principal of the lead entity.

3. Team Description

   • Identify the lead entity of the Respondent’s team and provide its organization/legal status, address, ownership, number of employees, history, executive leadership, and whether any substantive organizational changes are anticipated in the next two years.

   • Provide the name, address, and e-mail address of the Project Manager for the lead entity.

   • Describe the proposed team structure, including: list of firms, relationship of each firm to lead entity, and anticipat-
ed legal and reporting structure. Inclusion of an organizational chart is preferred. Respondent’s are not required to identify their full development team (i.e., future vertical development partners for all product types) or consultant team in the SOQ, but greater specificity will be received favorably.

- Identify the role of each team member in the implementation of the Project. Where more than one developer is being proposed as part of the team, be very specific as to what each firm will be contributing financially, organizationally, and in terms of qualifications.

- For each firm included on the team, identify key personnel (include only those that will play an active role in the Project).

- Provide bios or resumes for each of the key personnel, including relevant project experience, education, years with the current company, and chronological work experience. Limit to two (2) pages per person.

4. **Team Qualifications and Experience** – Describe the team’s relevant project experience. For each project described, at a minimum indicate all of the following:

   - Project name
   - Location
   - Owner(s)
   - Development program/land uses
   - Role that each of the firms and key personnel on the proposed team had on the project
   - Date of project initiation and completion
   - Total project cost and sources of capital
   - Reference(s) and their contact information
   - Site plan and/or photos of project
   - Whether the project can be described as any of the following: mixed-use, transit-oriented, public-private partnership, or exceeding $50 million in value

5. **Current Projects** – List and briefly describe any projects currently underway or in the pipeline (that can be shared publicly).

6. **Development Philosophy and Approach** – The EOC would like a sense of how each team would approach structuring a partnership, creating a plan for the Project, and implementing development. To that end, describe the Respondent’s guiding principles and underlying philosophy about development. In addition, provide preliminary thoughts about the Project (e.g., the Property’s physical characteristics, the market, key assets, challenges, due diligence, phasing, uses, infrastructure, public finance, good existing models for the Project, etc.).

7. **Interest In the Opportunity** – Briefly state the specific reasons for the Respondent’s interest in pursuing the Project. Also explain why the Respondent is the most qualified to undertake the Project.
8. **Financial Capacity** – Confirm and explain how the Respondent has the necessary financial standing, capacity, experience and resources to undertake, finance and deliver the Project.

9. **Pre-ENA Requirements** – Identify and explain any significant conditions, limitations, special requirements, reservations or conditions that the Respondent will require before signing an ENA.

10. **Existing Relationships** – List any past or current business relationships between the members of the Respondent’s team and the City of Arvada, AURA, RTD, and/or FTA. If relationships exist, indicate any history of disputes.

D. **GENERAL CONDITIONS:**

1. **RFQ Modifications:** Any material clarifications or modifications to the RFQ or the selection process will be made in writing and provided on the Project website. It is the responsibility of Respondents, before submitting a response to the RFQ, to ascertain if any notices, clarifications, addenda, or other communications to responders have been issued.

2. **Confidentiality:** Responses to this RFQ will be treated as though they were public records under the Colorado Open Records Act (CORA). Accordingly, information submitted is subject to disclosure to the public. Confidential and financial information submitted by a Respondent is exempt from disclosure to the public and will be retained on a confidential basis by the EOC or the Partner Agencies. This exemption from disclosure is available only to the extent that disclosure would cause substantial harm to the competitive position of the person/company submitting such information or impair the EOC’s or the Partner Agencies’ future ability to gain necessary information to pursue its public policy goals. All information that a Respondent wishes to remain exempt from disclosure should be submitted separately, bound and clearly marked as follows: “Confidential Commercial and Financial Information - Exempt from Public Disclosure in Accordance with the Colorado Open Records Act.” Defense of any CORA suits challenging such designation shall be the responsibility of the party asserting the CORA exemption.

3. **Right to Reject Responses:** The EOC and the Partner Agencies reserve the right to reject any and all responses or any part thereof, to waive any formalities and further, to award the selection of a Master Developer to any responsive and responsible Respondent as deemed in the best interests of the EOC and the Partner Agencies in their sole and exclusive discretion. Issuance of this RFQ and receipt of SOQs does not commit the EOC and the Partner Agencies to select any Respondents for the short list or to enter into any contract.

4. **Adequate Response:** Respondents’ responsiveness to all items in this RFQ will be taken as evidence of their interest and commitment to the Project. A failure to respond completely will be interpreted as a lack of full interest and commitment or a deficiency on the Respondent’s part. The EOC shall determine the sufficiency of any response in its sole and exclusive discretion.

5. **Team Member Exclusivity:** It is in the interest of the EOC and the Partner Agencies to encourage the best combination of potential teams. Thus, all members of a Respondent team may be listed as members of more than one team, with the exception that a lead entity may not submit more than one response as the lead entity.
6. **Respondent Expenses:** All expenses related to any Respondent’s response to this RFQ, or other expenses incurred during the period of time the selection process is underway, are the sole obligation and responsibility of that Respondent. The EOC and the Partner Agencies will not, directly or indirectly, assume responsibility for these costs. In addition, the Partner Agencies shall not be liable for any real estate commissions or brokerage fees that may arise as a result of the selection process.

7. **No Warranty of Information Accuracy:** The EOC and the Partner Agencies make no representations about the conditions of the site, including buildings, utilities, soils, or other surface or subsurface conditions. The Respondent shall make its own conclusions concerning such conditions. Information provided in this RFQ, as well as in related reports by staff or consultants of the Partner Agencies, is provided for the convenience of the Respondents only. The accuracy or completeness of this information is not warranted by the EOC or the Partner Agencies.

8. **Not An Offer to Sell or Enter Into a Contract:** Nothing herein shall be deemed to be an offer to sell any of the Property or an agreement to enter into a contract with any particular Respondent or other proposer.

9. **Additional Provisions:** The EOC and the Partner Agencies additionally reserve the right to:
   
   • Modify or cancel the selection process or schedule at any time.
   • Waive minor irregularities.
   • Reject any and all responses to this RFQ and to seek new submissions when it is in the best interest of the EOC and the Partner Agencies to do so.
   • Seek clarification or additional information or evidence from individual Respondents.
   • Judge the Respondent’s written or oral representations as to their veracity, substance and relevance to the Project, including seeking and evaluating independent information for any Respondent.
   • Modify the development opportunity available to prospective Respondents.