

VIII. SUBMISSION REQUIREMENTS

Each developer or development entity responding to this RFQ is required to submit fifteen (15) copies of the following information and a cashier's check or letter of credit in the amount of \$100,000 payable to the Port of Oakland, by May 28, 2001 at 4:00 PM.

Responses should be directed to:

Anne Henny, AICP
Senior Project Administrator
Commercial Real Estate Division
Port of Oakland
530 Water Street
Oakland, California 94607

Submittals may be mailed to the address above or delivered on May 28 to the Lobby Guard at the Port of Oakland, 530 Water Street, Oakland, California.

A. Developer Identification

1. Identify the lead development entity's name, street address, mailing address, phone number, fax number, and e-mail address. Specify the legal form of the organization (e.g., corporation, partnership, joint venture, other). Specify the date the organization was established.
2. Identify the principal point of contact with the Port, who will be authorized to represent the developer in negotiations and make legally binding commitments for the entity. Describe

the limitations of the negotiator's authority.

3. List all officers, partners, or owners of the development entity by name, title, and distribution (percentage) of ownership.
4. Identify development partners and other members of the development team, including planning, design and financial consultants. Identify the specific role and responsibilities of each member of the team. Provide relevant experience for each, a description and photographs of relevant previous projects, and their role in the cited projects. This section cannot exceed 20 pages for all members of the team combined.
5. Provide an organization chart including the key personnel for both the development and the Specific Plan teams.

B. Relevant Development Team Experience

List and describe the development entity's experience in developing: (a) comparable mixed-use projects with major investments in public amenities and infrastructure, and (b) large-scale waterfront developments. In total, this section is limited to a maximum of 20 pages, including photographs. For each project, provide the following:

- Project description, including date of initiation and completion, location, size of development, concept, price points, land uses and size for each component, and cost.

- A description of the entitlement process, including participation in a Specific Plan, Planned Unit Development or other public approval process, as well as the length of time required to secure approvals.
- The precise role that the entity and principals of the entity who are assigned to the Port’s project played in the project’s development.
- Financial structure of the project, including amount and source of equity and debt financing.
- Key performance dates, including date property acquired, date construction started, date completed.
- Extent to which public financing mechanisms were used, including redevelopment tax increment, Mello-Roos districts, tax-exempt financing, credit enhancements, and historical tax credits.
- Evidence of market and economic success.
- Description of involvement with Federal, State, and local government agencies, including the State Lands Commission, BCDC, U.S. Army Corps of Engineers, Environmental Protection Agency, Regional Water Quality Control Board, etc.
- Experience in dealing with site contamination issues, including testing, characterization, and remediation of soil and groundwater contamination.
- Application of sustainable development policies and/or

“green building” principles and practices.

- Experience in creating community consensus and successful public outreach.
- Describe the development entity’s philosophy regarding long-term holding of its assets.

C. Financial Capacity

The Port requests evidence that the development entity has the financial capacity to carry out the proposed project. The Port recognizes the sensitive nature of the financial information requested in this RFQ. Such information may, therefore, be submitted under separate cover and labeled “Confidential.” Only two copies are required. This information will be used solely by the Port for purposes of evaluation, and will be kept confidential to the fullest extent allowed by law.

1. For the development entity or, in the case of a company formed specifically for this project, for each of its guarantors, provide the following information:
 - Audited financial statements for the most recent calendar or fiscal year.
 - Letters from the developer’s lenders and other financial partners attesting to the developer’s capacity to undertake this project, i.e., fund infrastructure costs in excess of \$25 million.
2. Provide evidence from established financial source(s) of the

ability to provide the necessary debt and equity for the project, and identify the expected range of financing needed for this project. Indicate other recent projects where a similar level of investment was made, and provide appropriate references.

3. Identify the source, nature and amount of predevelopment equity available to the developer to fund a project of this nature. Identify the process to secure equity for predevelopment costs, and any limitations on the availability of these funds that may impact the development of this project. Describe how predevelopment equity is made available for phased development projects.
4. Is the development entity or any named individual in the proposed project involved in any litigation or other disputes that could result in a financial settlement having a materially adverse effect on the ability to execute this project? If yes, please explain.
5. Has the development entity or any named individual in the proposed project ever filed for bankruptcy or had projects that have been foreclosed? If yes, please list the dates and circumstances.

Do not include this section with the rest of the RFQ submittals. Send this section under separate cover to:

Denise Conley
Conley Consulting Group
484 Lake Park Avenue
Oakland, California 94610

Submissions should be marked “Confidential Developer Proposal” on the outside of the envelope.

D. Preliminary Development Concept

The respondent should provide a brief narrative description of the preliminary development concept on which the final development proposal would be based. It is understood that this description would be representative of the type of development proposed by the developer for the site. This description should include preliminary indications of the nature and type of development planned, including land use, building type and configuration; relationship to surrounding uses; approach to auto, transit and pedestrian access to the site; approach to parking; approach to open space and waterfront public access; development phasing; approach to financing infrastructure, open space, and development components; and a generalized indication of the type of tenancies envisioned for the project. An indication of the quality level of development should be made, perhaps through reference to other first class waterfront developments.

E. Oak-to-Ninth District Specific Plan Proposal

The respondent should provide a description of the proposed approach to the Specific Plan process. Please refer to information provided in the RFQ and Appendix E, “Oak-To-Ninth District Specific Plan Considerations.” Please limit your response to five (5) pages or fewer of text, three (3) pages or fewer of graphics, diagrams etc., for a total of no more than eight (8) pages for the Specific Plan submission. Note that for the Specific Plan itself, all computer-generated graphics, including maps, will be required to be saved as EPS files. All fonts (screen and printer fonts) used in the preparation of graphics are

to be included with these files. These files are to be editable, so they are not to be converted to “outline” or “paths”.

1. Specific Plan Requirements and Strategy for the Oak-to-Ninth District

Summarize your team’s understanding of the level of detail required for Specific Plans, and outline a strategy for effectively adapting those requirements for the Oak-to-Ninth District Specific Plan.

2. Preliminary Work Program

Outline a preliminary work program for the Oak-to-Ninth Specific Plan, recognizing that the work program will be refined in consultation with City staff and the Port project management team. At minimum, address the following topics:

- a) Responsibilities that departments, consultants, and/or individuals will likely take in each phase of the process; identify the consulting team for each phase.
- b) Scope of the work to be performed, including anticipated budget range, funding mechanisms, public outreach and participation program, and preliminary schedule including milestone review opportunities for City staff.
- c) Approach to data collection and analysis, including documentation of existing characteristics, identification of key issues, constraints and opportunities.
- d) General approach to interpreting and applying *Estuary Policy Plan* policies and establishing development objec-

tives, policies and design criteria.

- e) General approach to preparation of alternative plans and selection of a preferred plan.

3. Plan Coordination and Integration

Summarize your team’s approach to the integration of each of the following items into the Oak-to-Ninth District Specific Plan process:

- a) Master planning of the approximately 60 acres of Port property available for development within the larger, approximately 120-acre Specific Plan area;
- b) Coordination with remediation studies and plans for contaminated areas;
- c) Environmental review pursuant to the California Environmental Quality Act;
- d) Securing BCDC and City of Oakland approvals.

F. Deposit

Good Faith Deposit of \$100,000, in the form of a cashier’s check or letter of credit payable to the Port of Oakland. The deposit will be returned to all developers not selected for exclusive negotiations. The deposit from the developer selected for exclusive negotiations is **non-refundable**.

IX. SUBMISSION INSTRUCTIONS

The deadline for receipt of 15 copies of responses to this RFQ, and a cashier's check or letter of credit in the amount of \$100,000 payable to the Port of Oakland, is May 28, 2001 at 4:00 PM.

Responses to this RFQ should be directed to:

Anne Henny, AICP
Senior Project Administrator
Commercial Real Estate Division
Port of Oakland
530 Water Street
Oakland, California 94607

Submittals may be mailed to the address above or delivered on May 28 to the Lobby Guard at the Port of Oakland, 530 Water Street, Oakland, California.

Late submittals will not be considered. Fax or e-mail submittals are not acceptable.

RFQ Information Session and Site Tour

An information session, followed by a tour of the property, will be held on April 4, 2001. All interested developers are encouraged to attend the information session. A list of attendees will be provided to those who sign in at the session.

To attend the session, please call or e-mail Jacqueline Dempsey:

Telephone: (510) 627-1216
e-mail jdempsey@portoakland.com.

Future information regarding this RFQ, including answers to written questions from prospective respondents, will be mailed to those who attend the information session or telephone the number above to express their interest. The deadline for receipt of written questions or to be added to the mailing list is 4:00 PM on April 25, 2001.