

**REPORT TO MAYOR AND COUNCIL  
SITTING AS THE LOCAL REUSE AUTHORITY****TO THE HONORABLE MAYOR AND COUNCIL  
SITTING AS THE LOCAL REUSE AUTHORITY:**

DATE: June 10, 2014

**SUBJECT: CONSIDERATION OF A SHORT LIST OF QUALIFIED FIRMS TO RECEIVE A  
REQUEST FOR PROPOSAL FOR THE REUSE PROJECT AREA PLAN  
IMPLEMENTATION****Report in Brief**

In January 2014, staff commenced a one year selection process to identify a master developer for Phase 1 implementation of the Concord Reuse Project Area Plan (“Area Plan”). The process has three distinct phases, the first being a qualifications review of interested parties. A Request for Qualifications (RFQ) was issued by the Local Reuse Authority (LRA) on January 17, 2014. Over one hundred individuals representing twenty-two different development companies and professional services firms attended a mandatory pre-submittal conference (January 31, 2014) and optional site tours on February 3 and February 4, 2014. On March 18, 2014, the LRA received eight qualification packages. Each submittal was independently reviewed by an eight person review panel.

The panel reached consensus on the top four firms and concluded that there were significant differences in the qualifications between these four and the next four firms. Based on the panel’s review, the LRA Executive Director will recommend to the City Council, sitting as the LRA, that the top four firms be invited to submit a formal proposal as part of the second step in the selection process. The top four firms in alphabetical order are Catellus Development Corporation, FivePoint Communities/Lennar, J.F. Shea Company, and SunCal Corporation. The basis for this recommendation is discussed below. The other four firms that are not recommended for the next selection stage could have opportunities to participate at a later stage in the project as developers of individual parcels or groups of parcels, should they so desire and submit competitive land acquisition offers to the successful master developer.

**Background**

The selection of the master developer to launch the implementation of the Area Plan is clearly one of the most crucial steps in successfully transforming the former military base to civilian use, and realizing the Area Plan’s projected economic, fiscal, urban design and environmental benefits. Not only must the LRA identify and successfully negotiate with the development company best suited to the task, the process of selecting that company must be done in a way that is perceived by the Navy, the development community and the public as objective and fair. From the LRA’s perspective, it is also important that this selection be accomplished in a timely way, so that the selected master developer is available to provide counsel during the

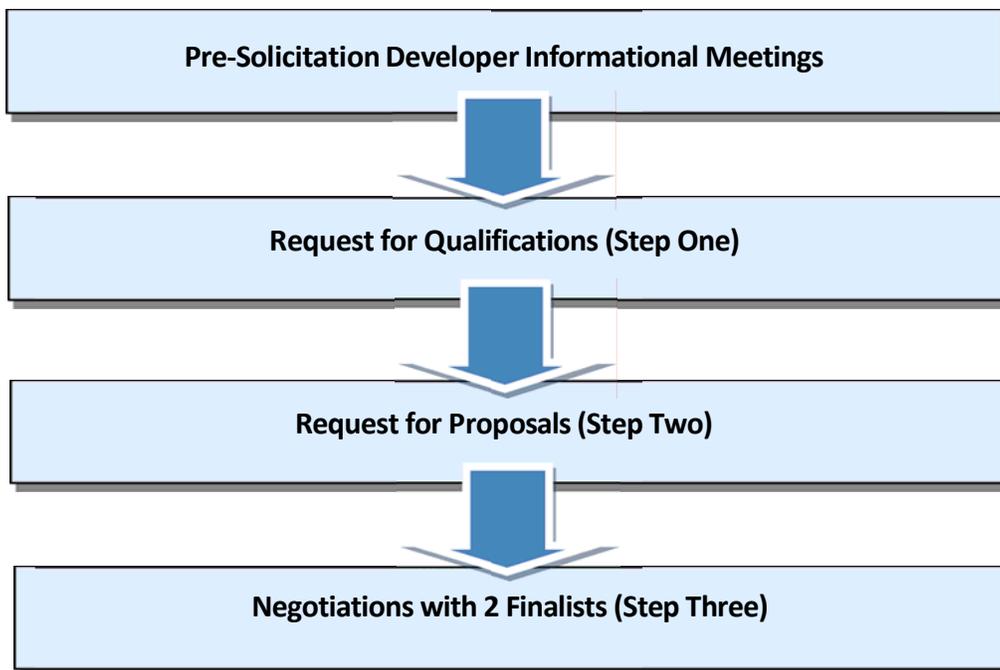
**CONSIDERATION OF A SHORT LIST OF QUALIFIED FIRMS TO RECEIVE  
A REQUEST FOR PROPOSAL FOR THE REUSE PROJECT AREA PLAN  
IMPLEMENTATION**

June 10, 2014

Page 2

final steps of the negotiation of the Economic Development Conveyance with the U.S. Navy (i.e., the legal mechanism by which the land formally transfers to LRA control), and then be in position to commence work as soon as the LRA gains control of the site, or relevant portions of it. To that end a Request for Qualifications (RFQ) was prepared to start the process outlined in the figure below. The RFQ was issued to a list of eighty-nine firms compiled by LRA staff and consultants in order to maximize interest and response. In addition, five professional publications received and published public notice announcements of the RFQ availability. The RFQ was also posted on the City's project website, and publically noticed in the Contra Costa Times and San Francisco Chronicle. The recommended short list of firms to receive the Request for Proposals (RFP), the second step in the process, is the subject of tonight's action before the Local Reuse Authority (LRA). Proposals would be due back in October, 2014. A summary of the overall master developer process is illustrated below.

**Area Plan Master Developer Selection Process**



**Discussion**

A Request for Qualifications (RFQ) was issued on January 17, 2014. Over 100 individuals representing twenty-two different firms attended a mandatory pre-submittal conference on January 31, 2014 and optional site tours on February 3 or February 4, 2014.

**CONSIDERATION OF A SHORT LIST OF QUALIFIED FIRMS TO RECEIVE  
A REQUEST FOR PROPOSAL FOR THE REUSE PROJECT AREA PLAN  
IMPLEMENTATION**

June 10, 2014

Page 3

Under the RFQ, master developer candidates were required to include:

- Transmittal Letter
- Project Vision
- Description of Project Team
- Lead Developer Experience
- Financial Capability

The detail on the RFQ requirements for each section of the response can be found on page 15-17 of Attachment 3 to this report. The RFQ also included standard City terms and conditions, including a caution not to discuss the matter with any City staff, decision makers or consultants, other than the LRA Executive Director, or face disqualification. This caution also applies through LRA Board selection of the firms to receive the RFP.

On March 18, 2014, the City received eight Statements of Qualification (SOQ). The eight firms in alphabetical order included:

- Catellus Development Corporation
- FivePoint Communities/Lennar
- J.F. Shea Company
- Seecon Financial and Construction Company, Inc.
- Starwood Ventures
- SunCal Corporation
- Toll Brothers Inc.
- Trumark Homes

Each submittal was reviewed to determine if the basic RFQ requirements had been met (number of copies, page count, and inclusion of required information). All eight submittals met the minimum requirements and were forwarded to the review team for detailed evaluation. Each reviewer received an original copy of the submittals and an evaluation template. A copy of the evaluation template is provided as Attachment 1. The eight-person review committee included six members from the City's Executive Management team and two outside members, as follows:

- Michael Wright – Executive Director, LRA
- Scott Johnson – Assistant City Manager
- Mark Coon – City Attorney
- Victoria Walker – Community Economic Development Director
- Karan Reid – Finance Director
- John Montagh – Housing and Economic Development Manager
- Craig Labadie – Outside Special Counsel
- Paul Silvern – HR&A Advisors, Inc. (real estate advisor to the LRA)

Each reviewer conducted an independent assessment of each submittal and how it performed against the evaluation criteria enumerated in the RFQ. The broad review criteria were:

**CONSIDERATION OF A SHORT LIST OF QUALIFIED FIRMS TO RECEIVE  
A REQUEST FOR PROPOSAL FOR THE REUSE PROJECT AREA PLAN  
IMPLEMENTATION**

June 10, 2014

Page 4

- Compatibility of the proposers' project vision with the community's goals for reuse of the CNWS
- Experience of the lead developer with similar projects (military base reuse, mixed use, TOD)
- Appropriate project team composition and experience with similar projects
- Evidence of financial capability
- Understanding and acknowledgement of Master Developer responsibilities as set in the RFQ

Under each major review heading were a series of sub-categories to reveal specific experience (see Attachment 1).

The reviewers met as a team on April 22, 2014 to present their individual evaluations and rankings. A master matrix was developed and each reviewer indicated his or her ranking for each submitter. The top ranked firm was given eight points; the bottom ranked firm was given one point. If the reviewer had a tie, both firms were given the points for their designated ranking. Despite the very independent review process there was unanimous opinion amongst the panel on the top four firms. There was a six point difference between the first and second ranked firms, then a ten point difference to the third firm and a one point difference between the third and fourth ranked firms. There was another ten point difference to the fifth place firm.

Each of the submittals by the eight firms has strengths and weaknesses, but the project vision and overall experience of the top four firms with military base redevelopment, large mixed use projects and transit-oriented development set them apart. As an example, one key differentiator with the top four firms is that they did not merely list project examples that required the evaluators to figure out how/why they were relevant to complex reuse of a large military base. The responses of the top four, in presenting their project experience, showed a strong working knowledge of reuse/redevelopment of contaminated properties and the uniqueness of dealing with the military services and particularly the need for patience when dealing with the military.

The project experience in the top four submittals also clearly reflected an understanding of the difference between large scale mixed use (with TOD) master development and master development of large master planned residential communities. Another point of differentiation between the top four and the others was their project vision statements. The top four firms did more than just repeat the community vision reflected in the Area Plan and the summary in the RFQ, but reflected some original thought and context for the community's vision. Generally, the top four firms produced submittals that were better organized, better written and more carefully addressed the criteria specified in the RFQ. As an example, the RFQ asked that the statement of qualifications (SOQ) to "introduce and describe the project team defined as the lead developer, any second tier developers and key team members..." "Respondents should provide information that explains the relationship among team members, their respective roles...and overall management of the team." The top firms provided explanations of roles and responsibilities, organization charts, and management steps. The bottom four merely provided names/bios on all their key managers, lists of multiple professional firms, many of whom provide overlapping services with little or no explanation about organization, responsibilities or

**CONSIDERATION OF A SHORT LIST OF QUALIFIED FIRMS TO RECEIVE  
A REQUEST FOR PROPOSAL FOR THE REUSE PROJECT AREA PLAN  
IMPLEMENTATION**

June 10, 2014

Page 5

management approach. These examples are not exhaustive and in the end, it wasn't that the second-tier four did a poor job; it was that the first-tier four did a much better job of meeting the RFQ criteria.

Finally, the financial criteria in the RFQ turned out to not be a major differentiator, as (with one exception) the firms, whether public or private, provided sufficient information and references to satisfy the review panel of their ability to implement a project of the Area Plan's scale and complexity, at least in general. Financial capability will receive additional and more detailed scrutiny during the RFP stage of selection.

It was the review panel's consensus that the top four firms be submitted to the LRA with a recommendation that they receive the Request for Proposal (RFP). It is the LRA Executive Director's opinion that all four firms are highly qualified master developer candidates and that four is a manageable number for the RFP part of the process and will generate sufficient competition in the City's favor. Consequently, staff recommends the LRA invite the following four firms (in alphabetical order) to submit RFPs:

- Catellus
- FivePoint Communities/Lennar
- J.F. Shea Company
- SunCal

(See Attachment 2 for brief background summaries of each firm)

It is anticipated that the RFP and associated draft development agreement will be issued the first week of July with a late October due date. Public presentations from each of the four proposers would start in December with two firms selected by the City Council to enter negotiations in January, 2015. Final selection is anticipated in the second quarter of 2015.

**Communication with the Eight Submitters**

Prior to the June 10, 2014 Council meeting, the Executive Director called each submitting firm's main contact and let him/her know if their firm was being recommended to Council to continue in the RFP process. In making these calls, the Executive Director made clear to those not selected to proceed that future opportunities to do work on the site will exist, particularly when vertical development begins. The staff report for the June 10, 2014 Council meeting was sent to each firm. As noted above, any attempt by any of the firms to discuss the selection matter with members of the LRA Board outside of a public meeting constitutes grounds for disqualification.

**Fiscal Impact**

There is no direct fiscal impact to the City at this time. It should be noted that one of the reasons for not having a larger number of firms submit proposals is that the proposal preparation effort will be substantial and costly for the submitting firms and for the LRA to review the detailed proposals. Also, enlarging the field may well discourage participation by the most qualified firms.

**CONSIDERATION OF A SHORT LIST OF QUALIFIED FIRMS TO RECEIVE  
A REQUEST FOR PROPOSAL FOR THE REUSE PROJECT AREA PLAN  
IMPLEMENTATION**

June 10, 2014

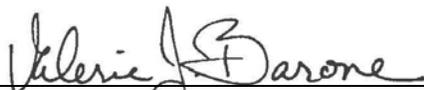
Page 6

**Public Contact**

Agenda has been posted in accordance with legal requirements.

**Recommendation for Action**

Staff recommends that Council approve the recommended short list of firms and direct staff to issue a request for proposal for the Reuse Project Area Plan implementation.



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Valerie J. Barone  
City Manager  
valerie.barone@cityofconcord.org

Prepared by: Michael W. Wright  
Executive Director,  
Local Reuse Authority  
michael.wright@cityofconcord.org

- Attachment 1 – Evaluation template
- Attachment 2 – Brief overviews of the four firms
- Attachment 3 – Request for Qualifications

**RFQ Evaluation Sheet  
Concord Naval Weapons Station Reuse Project Area Plan Master Developer Selection**

Developer: \_\_\_\_\_ Page 1

Evaluation Criteria	YES	NO	Comments/Notes
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Compliance With Threshold RFQ Response Requirements			
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Qualifications statement properly submitted to the LRA by 3 pm on March 18, 2014.	X		
Qualifications statement complies with required format (e.g., 8.5" x 11" pages; double sided; pages numbered; table of contents; 12-pt. font; 30 pages maximum (not including principals' resumes and financial letters of reference)).	X		
Includes responses to all topics required by the RFQ: (1) a cover letter signed by master developer representative; (2) Project Vision; (3) Project Team; (4) Lead Developer Experience; and (5) Financial Capability.	X		All major sections included
Includes 2-page resumes for principals of the master developer and primary professional team members.	X		Master Developer half page bios included in page count, two page resumes included in Appendix for professional team.

Weak <-----> Strong
1      2      3      4      5

Compatibility of Project Vision with the community's goals for the re-use of the CNWS					
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Understanding of (and thoughtful commentary on) adopted Area Plan and Phase I range of land uses and development opportunities.						
Understanding of site-specific development challenges (e.g., topography; environmental clean-up; need to install and finance major new infrastructure).						
Understanding specifically of TOD opportunities and site-BART station relationships.						
Understanding of need for high-quality urban design, architecture and building materials consistent with developing a world-class community.						
Understanding of regional real estate market and local context as influences on planning approach and project implementation.						

Evaluation Criteria	Weak <-----> Strong					Comments/Notes
	1	2	3	4	5	
<b>Experience and background of the Lead Developer in successfully completing similar projects, including mixed-use, military-base re-use and transit-oriented developments</b>						
Experience leading comparably scaled projects (1,000+ acres).						
Experience working with local government agencies to develop complex development projects with multiple land uses.						
Experience with military base reuse.						
Experience with large-scale home building.						
Experience with Transit-Oriented Development.						
Experience with commercial office development.						
Experience with multiple formats of retail development.						
Experience with a variety of public amenities and facilities.						
Experience with backbone infrastructure development and financing.						
5-10 examples of comparable developments including information about: (1) project name and location; (2) scope of total development; (3) development implementation schedule; (3) land acquisition and construction costs; (4) debt, equity and any public financing sources; (5) contact information for primary lenders, equity providers and public assistance providers; (6) predevelopment investment return threshold, actual return achieved and breakeven cash flow year; (7) role of the master developer and description of project challenges; (8) involvement of public agencies and public agency contact; and (9) description of public involvement process.						

Evaluation Criteria	Weak <-----> Strong					Comments/Notes
	1	2	3	4	5	
<b>Appropriate project team composition and team member experience and background with an emphasis on experience in completing successful similar projects</b>						
Description of the project team and team member relationships; organizational chart, and description of project management approach.						
Experience of the Architectural firm and principal's experience designing comparably scaled projects.						
Experience of the Landscape Architect/Urban Design firm and principal's experience designing comparably scaled projects.						
Experience of the Civil Engineering consultant(s) and principal's experience with comparably scaled projects involving significant backbone infrastructure and facilities.						
Experience of the Environmental consultant and principal's experience with base closure and/or brownfield remediation expertise.						
Other engineering and traffic consultants with experience in comparably scales projects.						
Evidence of experience and commitment to affordable housing development and local government affordable housing goals.						
Community engagement consultant(s) with experience on projects of similar scope and scale.						
Other (e.g., general contractor, land use lawyer, etc.); specify:						
Other (e.g., general contractor, land use lawyer, etc.); specify:						
Other (e.g., general contractor, land use lawyer, etc.); specify:						
<b>Evidence of financial capability and level of financial commitment (details of financial information to be reviewed by HR&amp;A)</b>						
If Master Developer is a publicly held company, a copy of audited annual financial statements.						
If Master Developer is privately held, a combination of evidence for prior transactions in which all or substantially all of the financing was provided by the Respondent, letters from banks and/or current or proposed financial partners indicating the scale or recent loans, the size of the credit line, or other relevant financial information.						
Disclosure of any adverse action in last 10 years against Master Developer or joint venture partner by a primary funding source, and any litigation (judgment or settlement).						

**Evaluation Criteria** **Comments/Notes**

Weak <-----> Strong				
1	2	3	4	5

**Understanding and acknowledgement of Master Developer responsibilities as set forth in the RFQ**

Property acquisition						
Development plan						
Development approvals						
Financing						
Design						
Construction						
Maintenance & Operation						
Participation by Small and Local Businesses						
Sustainability						
Inclusionary Zoning						
Development schedule						
Community engagement						
Coordination with public agencies						

**TOTAL COLUMN POINTS**

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**TOTAL OVERALL POINTS**

Other general comments/observations:  
 \_\_\_\_\_  
 \_\_\_\_\_

**SOQ Selection Committee Member:**  
 Signature: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Position/Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

### **Catellus Development Corporation**

Catellus Development Corporation is a real estate owner, investor and developer that is privately held and owned by TPG Capital. Catellus is headquartered in Oakland, California and would manage the project from that office. Catellus was born through a merger of Santa Fe Industries and the Southern Pacific Company as a desire to manage all non-railroad assets and real estate. Over the last 30 years they have worked on very large and complex projects including Alameda Landing (Navy Supply Center Reuse) and Mission Bay (in San Francisco).

These and other projects of similar scale to the Concord site involved a variety of product types/tenants, transit oriented development, multiple stakeholders and complicated regulatory environments. A significant part of their portfolio of experience is with brownfield developments (i.e. contaminated sites).

Catellus has their own equity investment arm but TPG Capital has over \$57 Billion in assets. Farallon Capital Management and Wells Fargo are other financial partners.

### **FivePoint Communities/Lennar**

FivePoint Communities is a privately held company that will serve as the managing partner of the Concord project. Lennar a public traded company on the New York Stock Exchange will be an equity partner and add its extensive experience in military base conversions. FivePoint Communities is presently working on the mixed use project for reuse of the El Toro Marin Corp Air Station (Irvine) and the Tustin Marine Corp Air Station (Tustin). These projects are at the same scale and mix of uses (residential, commercial/retail, parks) as Concord. Lennar is involved in the reuse of Mare Island Naval Shipyard (Vallejo), Hunters Point Naval Shipyard and Treasure Island (both San Francisco). All three of these projects are complex mixed use communities with significant environmental challenges, in many cases beyond those anticipated at the CNWS. Lennar was also the lead developer of Windermere Development which oversaw approximately half of the mixed use community development in Dougherty Valley (San Ramon). The two companies have significant experience in negotiations with the Department of the Navy and California regulators overseeing military base reuse. They will manage the project from a project office created in Concord.

### **J.F. Shea Co. Inc.**

The J.F. Shea family of companies is a privately held limited partnership that started as a family run business in 1881. They are considered one of the most respected, diversified real estate development and management companies in the United States. They have a proven track record for heavy construction (J.F. Shea Construction), development of business parks, shopping centers, apartment complexes and mixed- environments (Shea Properties), and large complex residential communities (Shea Homes and Trilogy Resort Communities). Their project experience includes military base reuse on a portion of

Ft. Ord (Monterey) and Hamilton AFB (Novato). They will manage the Concord project from their Northern California regional office in Livermore.

They self-finance most of their projects and have debit instruments with Wells Fargo and US Bank. AON provides surety bonds.

### **SunCal**

SunCal is a private developer of master planned communities. They are headquartered in Irvine, California but will manage this opportunity from their regional office in San Jose, California. Over the last 75 years they have worked on large, complex residential, commercial and mixed use projects with extensive affordable housing components and transit oriented development. Their experience includes military base conversions (Camp Park, Dublin and Oak Knoll Navy Hospital, Oakland) and Potomac Shores a 2,000 acre mixed use project in Prince William County, Virginia.

SunCal's largest financial partner (of both debit and equity) in the early 2000's was Lehman Brothers. When the great recession hit and the crisis in the credit markets caused Lehman Brothers to file for bankruptcy, that action bankrupted 24 major assets of SunCal's predecessor. SunCal reorganized and has since repurchased several of the assets lost during 2008/2009. The Oak Knoll Naval Hospital site in Oakland is one such asset. They have a new set of best in class capital providers including King Street Capital, PIMCO, and Colony Capital.



## REQUEST FOR MASTER DEVELOPER QUALIFICATIONS

# CONCORD NAVAL WEAPONS STATION

# REUSE PROJECT AREA PLAN IMPLEMENTATION

**Mandatory Pre-Response Conference and Site Visit: January 31, 2014, at 1:00 P.M.**

**Submittal Due Date:** March 18, 2014 by 3:00 P.M. PST  
**Send or Deliver to:** Michael W. Wright  
Executive Director, Local Reuse Authority  
City of Concord  
1950 Parkside Drive  
Concord, CA 94519

## TABLE OF CONTENTS

<b>1 - INTRODUCTION .....</b>	<b>3</b>
<b>2 - DEVELOPMENT OPPORTUNITY .....</b>	<b>6</b>
<b>3 - MASTER DEVELOPER RESPONSIBILITIES .....</b>	<b>11</b>
<b>4 - KNOWLEDGE OF RFQ AND SITE VISIT .....</b>	<b>14</b>
<b>5 - SELECTION PROCESS AND SUBMISSION REQUIREMENTS .....</b>	<b>15</b>

## APPENDICES

<b>APPENDIX A - AREA PLAN SUMMARY .....</b>	<b>20</b>
<b>APPENDIX B - UTILITIES, ENVIRONMENTAL CONDITIONS, AND DEMOLITION.....</b>	<b>26</b>
<b>APPENDIX C - FEDERAL CONVEYANCE PROCESS.....</b>	<b>30</b>
<b>APPENDIX D - STANDARD CONDITIONS .....</b>	<b>32</b>

## TABLE OF FIGURES

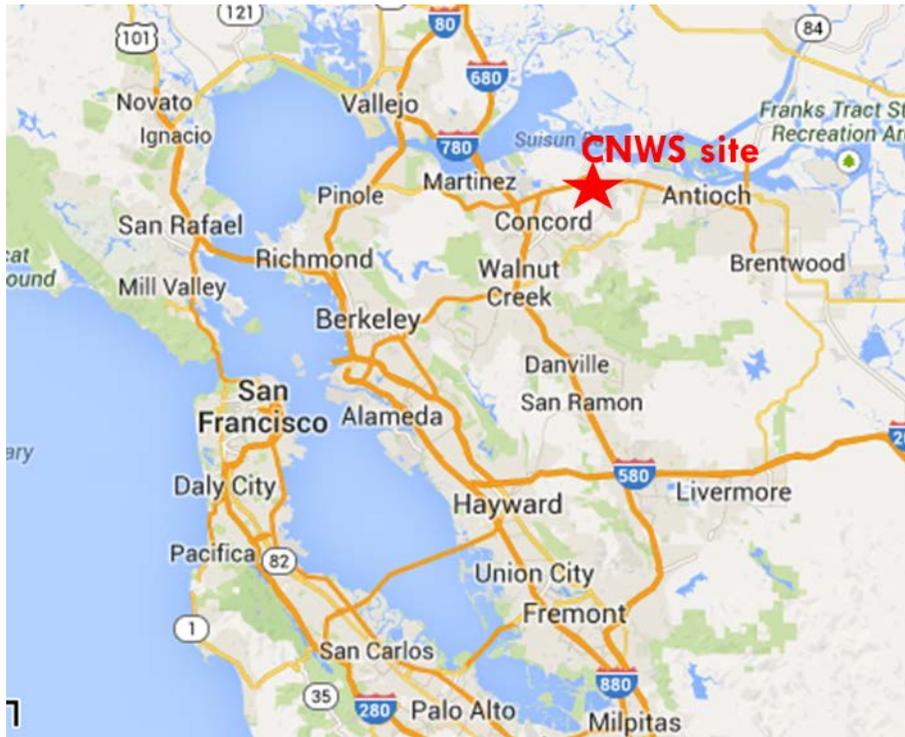
Figure 1-1: Regional Location of the CNWS .....	3
Figure 1-2: Proposed Master Developer Selection Schedule .....	5
Figure 2-1: Project Goals.....	6
Figure 2-2: Profile of Concord and the Area Surrounding the CNWS Site, 2012.....	8
Figure A-1: Development Program .....	20
Figure A-2: Development Program Continued.....	21
Figure A-3: CRP Area Plan Development Program .....	22
Figure A-4: Neighborhood Housing Mix .....	22
Figure A-5: Phase I Proposed Uses .....	23
Figure A-6: Phase I Development Program .....	24
Figure A-7: Overall CRP Area Build Out.....	25

## 1 - Introduction

### 1.1 – Purpose of This Request for Qualifications

The City of Concord Local Reuse Authority (“LRA”) seeks Statements of Qualifications (“SOQ”) from qualified Master Developer real estate development teams (“Respondents”) to respond to this Request for Qualifications (“RFQ”) for the disposition and development of approximately 2,300 acres located on the 5,046-acre property formerly known as the Inland Area of the Concord Naval Weapons Station (“CNWS”). The property is being disposed through the federal Base Realignment and Closure Act (BRAC).

**Figure 1-1: Regional Location of the CNWS**



The redevelopment of the CNWS site in Contra Costa County represents one of the largest mixed-use, transit-oriented community development opportunities in Northern California. Through this RFQ, the LRA seeks to prequalify a limited number of Respondents (“Prequalified Respondents”) who will be invited to participate in a subsequent Request for Proposals (“RFP”) process that is expected to commence in the summer of 2014.

This RFQ initiates the process of identifying and selecting a Master Developer capable of comprehensive redevelopment of the CNWS site. The resulting development should be vibrant, walkable, mixed-use communities that are financially and fiscally self-sustaining. The LRA intends to select a Master Developer with a demonstrated record of accomplishment developing the desired land uses sought by the Concord community and the LRA. The Master Developer must assemble a team that can design, secure permits for, finance, construct, and market multiple mixed and single use developments that are substantially compatible with the Concord Reuse

Project (“CRP”) Area Plan, which is now adopted as part of Concord’s 2030 General Plan. The Master Developer must be familiar with real estate markets and development procedures in California generally and the San Francisco Bay Area in particular. Previous experience with the unique challenges of redeveloping a former military facility is preferred, but not required.

The LRA assembled the following consulting team to assist in development of an Area Plan as well as this solicitation process:

- Arup – Planning/Engineering
- ERS and EKI – Remediation/Risk Management
- HR&A Advisors – Real Estate Development Advisors
- ALH Economics – Real Estate Market/Fiscal Impact Advisors
- H.T. Harvey – Natural Resource Management Advisors
- Garrity & Knisely – Outside Counsel BRAC Compliance
- Ebbin Moser + Skaggs – Outside Counsel NEPA/CEQA/ESA Compliance
- Law Offices of Craig Labadie – Outside Counsel-Municipal Law
- Burke Williams & Sorenson – Outside Counsel-Transaction Compliance

## **1.2 - Overview of the Planning Process**

As described in more detail below, soon after the CNWS was closed by the U.S. Navy in 2005, the City undertook a seven-year community-based visioning and planning process that culminated in the adoption of the CRP Area Plan detailing the community’s desired future use of the property, certification of a Final Program Environmental Impact Report and Mitigation Monitoring and Reporting Program, and the amendment of the City’s 2030 General Plan to include the CRP Area Plan. The CRP Area Plan features a comprehensive vision that considers aspirations of the Concord community, the characteristics of the local and regional real estate market, development requirements particular to reuse of a former military facility, and the opportunity to establish a precedent-setting mixed-use, transit-oriented community with unparalleled regional open space resources.

## **1.3 – Master Developer Selection Schedule**

The LRA plans to adhere to the following schedule for the selection of Pre-Qualified Respondents who will have the opportunity to participate in the RFP process. The timetable presented below is subject to change at the LRA’s sole discretion, but notice of any such changes will be posted on the LRA’s website and provided to prospective Respondents that have registered on-line with the LRA.

**Figure 1-2: Proposed Master Developer Selection Schedule**

<b>Issuance of the RFQ for the Redevelopment of the Site</b>	<b>January 15, 2014</b>
• Pre-proposal conference and site visit	January 31, 2014 *Subject to change for weather
• Deadline for questions	February 7, 2014
• Posted responses to questions	February 14, 2014
<b>SOQ submission deadline</b>	<b>March 18, 2014</b>
<b>Announcement of prequalified respondents</b>	<b>May 2014</b>
<b>Release of RFP to prequalified respondents</b>	<b>June 2014</b>
• Schedule additional site visits upon request	June 2014
• Deadline for questions	July 2014
• Posted responses to questions	September 2014
• Proposal submission deadline	October 2014
<b>Begin negotiations with top selected master developer candidates</b>	<b>January 2015</b>

## 2 - Development Opportunity

### 2.1 - Project Description and Goals

As reflected in the CRP Area Plan, the LRA has adopted the following goals for future development of the CNWS site:

Figure 2-1: Project Goals

OVER-ARCHING GOALS	WORLD CLASS PROJECT      BALANCED APPROACH      ECONOMICALLY VIABLE AND SUSAINBLE DEVELOPMENT      QUALITY OF LIFE				
GOALS	<b>PLANNING CONSIDERATIONS</b> <ul style="list-style-type: none"> <li>Inclusive, transparent, and collaborative planning process</li> <li>Flexible Planning/Design Requirements</li> </ul>	<b>COMMUNITY DEVELOPMENT</b> <ul style="list-style-type: none"> <li>Community benefits</li> <li>Community character</li> <li>Multi-generational and inclusive community</li> <li>Environmentally sustainable development</li> </ul>	<b>PARKS, RECREATION &amp; OPEN SPACE</b> <ul style="list-style-type: none"> <li>Resource conservation</li> <li>Land stewardship</li> <li>Community parks and recreation</li> </ul>	<b>ECONOMIC DEVELOPMENT</b> <ul style="list-style-type: none"> <li>Vibrant and diverse economy</li> </ul>	<b>TRANSPORTATION</b> <ul style="list-style-type: none"> <li>Effective transportation system</li> </ul>

Source: CRP Area Plan, Book 1

### 2.3 - The Project Opportunities

The CNWS site and the adopted CRP Area Plan present a number of significant development opportunities:

**The size and scope of the project:** The CNWS site is one of the Bay Area’s largest mixed-use, transit-oriented development opportunities. The CRP Area Plan provides for up to 6.1 million SF of commercial space and up to 12,200 housing units. In fact, between 2015 and 2035, as much as 10 percent of Contra Costa County’s growth could occur on the CNWS site, which means that it could house up to one out of every six Concord residents and one out of four of the City’s jobs over the 2015-2035 timeframe.

**Local regulatory prioritization:** The CNWS site is designated as a Priority Development Area (PDA) by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC). The CNWS site is one of the largest PDAs that has been designated and one of the few undeveloped PDA sites. The recently-adopted Plan Bay Area will result in incentives to support growth in the PDAs through support for transportation and planning projects.

**A strong planning vision:** The CRP Area Plan outlines a clear vision for future development of the CNWS site, including overall development standards for each of its Development Districts. Each District has clearly articulated planning goals, allowable density and intensity of use, mix of uses, and “convenience standards” (i.e. transit stops, bike lanes, public gathering spaces, active open space, grocery stores, etc.).

**Environmental review is well underway:** There is already a certified Environmental Impact Report for the CRP Area Plan, which provides program-level clearance and assurance that environmental review need not start from scratch for each development project or subsequent phase. The CRP Area Plan includes a Climate Action Plan, which has been reviewed and approved by the Bay Area Air Quality Management District. It will function as a greenhouse gas reduction plan for the purposes of future environmental review, allowing environmental clearance with respect to greenhouse gas emissions to be documented by indicating how the plan or project is consistent with applicable requirements of the Climate Action Plan.

An Environmental Impact Statement under federal law is now being prepared by the U.S. Navy for the land conveyance to the LRA.

**Committed City and Regional leadership:** The project enjoys a high degree of local consensus as a result of the approval of the CRP Area Plan, a process that involved none of the significant public controversy that has plagued some other military base reuse projects in the Bay Area and elsewhere. The LRA is committed to the full build-out of the CNWS site as described in the CRP Area Plan. Furthermore, regional agencies such as the Metropolitan Transportation Commission, the Association of Bay Area Governments, and Bay Area Rapid Transit have all demonstrated support for the project.

## 2.3 - The CNWS Site

### Description

Located in Concord, California, the 5,046 acre site is the Inland Area of the 12,000 acre Concord Naval Weapons Station property. The site is also contiguous to 18 acres of property owned by the Bay Area Rapid Transit (BART) District. While not part of the BRAC transfer they are available for redevelopment in conjunction with the Base. Because of the scale of potential development pursuant to the CRP Area Plan and its connection to the rest of the Bay Area via BART, the CNWS site represents one of the greatest opportunities to shape the pattern of future growth in the Bay Area.

### Surrounding Concord Area

The site is bordered by BART and Highway 4 to the North, the City of Concord to the Southwest, and open space to the Northeast. Mount Diablo Creek runs through the center of the CNWS site.

Concord's population in 2012 was 124,000 with a total of 45,000 households. The City is home to about 7,500 businesses that in aggregate employ nearly 50,000 people. About half of all Concord residents also work in Concord. Service industries, including health services and retail trade, dominate the City's economy. Median household income in 2012 was about \$64,000,

which matches the average for the State of California, but is lower than the median incomes reported for Contra Costa and Alameda Counties of \$74,000 and 71,000, respectively.<sup>1</sup>

By 2030, full build-out of the CRP Area Plan is expected to increase Concord's population to 171,000, housing units to 65,000, and jobs to 115,000, continuing the City's position as Contra Costa County's largest city and economic center. Additional demographic information about Concord and the area surrounding the CNWS site can be found in the table below.

**Figure 2-2: Profile of Concord and the Area Surrounding the CNWS Site, 2012**



<sup>1</sup> 2012 American Community Survey

	City of Concord	Geographic Radius	
		Within 6 Miles of Site	Within 12 Miles of Site
<b>Population</b>			
Total Population, 2012	123,712	268,959	549,138
% Annual Growth, 2000 to 2010	0.06%	0.23%	22.00%
Median Age, 2012	37.2	38	40
<b>Households</b>			
Total Households, 2012	45,087	98,824	206,634
% Annual Growth, 2000 to 2010	0.10%	0.16%	17.00%
Average HH Size	2.72	2.70	2.63
<b>Income</b>			
Median Household Income, 2012	\$ 61,031	\$ 67,903	\$ 73,896
Median Disposable Income, 2012	\$ 50,803	\$ 54,372	\$ 57,584
<b>Retail Trade Gap*</b>			
Retail Trade Gap, 2012, millions	\$ (293)	\$ 407	\$ 1,007
Food and Drink Trade Gap, 2012, millions	\$ 3.0	\$ 4.0	\$ 129.0

#### Vehicle Traffic Counts, 2011

	Average Weekday
State Route 4	153,000
Willow Pass Road	38,176
Port Chicago Highway	40,850

\* For Retail Trade Gap, a positive number means that local demand outweighs supply (retail leakage) and a negative number means local supply outweighs demand

Source: ESRI Business Analyst, HR&A Advisors Inc.

#### Access to Transit

The CNWS site is anchored by the North Concord/Martinez BART station and is connected to surrounding communities via regional thoroughfares such as Willow Pass Road, Bailey Road, and State Highways 4 and 242 and Interstate 680. Concord is one of only eight cities in the Bay Area with more than one BART station. As such, the development vision detailed in the CRP Area Plan has a strong emphasis on transit-oriented development.

#### Military History

At one point, the CNWS was the United States Navy's primary ammunition port on the Pacific Coast. The Navy's presence began in 1942, after the United States entered World War II and at that time the naval presence was only comprised of the Tidal Area, which is outside the boundary covered by the site for redevelopment. In 1944 an ammunition detonation destroyed the Tidal Area's pier and the ships docked there and in so doing killed 320 people, including 200 African American sailors; this was the largest stateside disaster of the war. As a result of the disaster, the Navy purchased the 5,200 acres that would become the Inland Area referred to as the CNWS

site. In addition to the facilities necessary to store explosives and supplies, the Navy also built military housing, a rail system, and small airfield within the Inland Area.

During the Cold War, the CNWS served as a weapons storage facility and during the Vietnam War it provided support for military efforts in Southeast Asia. While still active for military uses, smaller portions of the site were used for forest research and other environmental activities. Due to changes in post-Cold War military strategy, the Navy vacated the Inland Area of the CNWS in 1997 and in 2005 the Department of Defense announced that it planned to close the entire Inland Area.

### **CNWS Reuse Planning History**

When the Inland Area of the CNWS was officially placed on the base closure list in 2005, the City of Concord, acting through its City Council, was designated as the Local Reuse Authority (LRA) by the Department of Defense. The City Council formed a 21-member Community Advisory Committee (CAC) and Technical Advisory Groups (TAGs) to engage in the planning process. The LRA conducted a seven-year community based visioning and planning process that culminated in the adoption of the CRP Area Plan detailing the community's desired future use of the property, certification of a Final Program EIR and Mitigation Monitoring and Reporting Program, and amendment of the City's 2030 General Plan to include the CRP Area Plan. These actions were completed in February 2012.

### **3 - Master Developer Responsibilities**

#### **Property Acquisition**

The Master Developer will be expected to negotiate with the LRA for the fee simple acquisition of the property from the LRA. Consideration terms negotiated between the Navy and City, as described in Appendix C, may be the responsibility of the Master Developer. Among other terms, price and payment, potential leasing and land take down schedules will be negotiated.

#### **Development Plan**

The Master Developer will be responsible for conducting market and financial feasibility research and analysis and designing and implementing sub-area specific development plans that exemplify and are consistent with the overarching vision of the CRP Area Plan. If plans are not consistent with the CRP Area Plan and other parts of the General Plan, the Master Developer will be responsible for preparation and environmental review of a CRP Area Plan amendment and assume risk for changes in the plan.

#### **Development Approvals**

The Master Developer will be responsible for procuring all land use and regulatory approvals and permits, including any required subsequent or supplemental environmental impact reports, necessary for implementation of the CRP Area Plan. The particular entitlement procedures that will be required to pursue development of individual Districts are still being considered by the City but the City may utilize an expedited permit approval process. Further details will be provided during the RFP phase of the Master Developer selection process.

#### **Financing**

The Master Developer will be responsible for devising a financing structure and obtaining the financing for all infrastructure upgrades and the elements of vertical development proposed to be undertaken directly by the Master Developer. The Master Developer will be responsible for financing the cost of its project, including predevelopment and entitlement costs such as design, planning, engineering, legal, environmental and related consulting and professional expenses, as well as development costs such as demolition, grading, site preparation, installation and construction of back-bone infrastructure, including utilities and off-site improvements. The project cost, including backbone infrastructure and community facilities (new and upgrades), has been estimated by ARUP to be between \$2.0 and \$2.2 B, including allowances, add-ons and soft costs. ARUP's cost study and subsequent updates to the study will be made available to Respondents.

#### **Design**

The Master Developer will define specific plans, design standards and zoning based on the standards and guidelines contained in the CRP Area Plan and Concord's 2030 General Plan.

#### **Construction**

The Master Developer will be responsible for the construction and coordination of all necessary off-site and selected on-site improvements, community facilities, including streetscapes, parks, utilities and roads and on-site landscaping and hard-scaping. To the extent Master Developer

intends to undertake vertical construction of certain private improvements, the Master Developer would be responsible for those building cores and shells, tenant improvements, fixtures and equipment. The Master Developer will be required to comply with all applicable City of Concord commitments and federal laws regulating prevailing wage and other labor-related issues. Thus far, City Council has already agreed to pay prevailing wage, make a good faith goal for a local hire program to achieve a 40% benchmark, apprenticeship and veteran training programs. Organized labor has requested commitment to project labor agreements. The City Council has deferred this issue until a Master Developer is selected and a pilot study is conducted. The Master Developer will also be responsible for packaging selected land parcels and/or buildings in the event of development by third party sub-developers or builders however, in this event any sub-developers will be required to comply with all applicable development regulations.

### **Maintenance and Operations**

As properties are released by the Navy, the Master Developer will assume responsibility for maintenance and coordination of security with Concord Police Department.

### **Participation by Small and Local Businesses**

The Master Developer is encouraged to team with qualified small businesses and disadvantaged business enterprises and create opportunities for Concord-based employers and resident workers.

### **Sustainability**

The Master Developer will develop flexible and innovative infrastructure that responds to the CRP Area Plan's climate action goals (detailed in Book Three) and that can easily evolve with technology and market demand.

### **Inclusionary Zoning**

The Master Developer will ensure that residential development includes, at a minimum, levels of affordability required by the resolution adopted by Concord City Council on January 24, 2012. The resolution, which incorporated the CRP Area Plan into the Concord General Plan, contemplates a total of 3,020 affordable units, or about 25 percent of the project's overall units. The resolution is reflective of the broad support and consensus of local and regional housing advocates to accommodate a diverse range of lower income levels and demographics. The resolution is flexible in terms of how this commitment is achieved, but does indicate that most units should be in dense (25+ units per acre), stand-alone projects built by non-profit affordable housing developers. Other units may be provided as inclusionary units within a larger development.

Of the 3,020 total affordable units, 260 units (but no less than 130 units) of housing for formerly homeless persons and 60 units of Habitat for Humanity self-help housing are deducted as land areas separately set aside. The financial projections for implementation of the CRP Area Plan assume that the remaining 2,700 affordable units will be distributed among the income level categories at the same ratios as presented in the City of Concord 2011 Housing Element, Regional Housing Needs Assessment – i.e., 800 units for very low-income households, 630 units for low-income households, and 1,270 units for moderate-income households. Approximately 1,430

units out of the 2,700 are assumed to be on sites that are dedicated (sold at fully discounted cost) to non-profit affordable housing developers. Homeless housing and affordable housing commitments will be phased in over the life of the project as a portion of each development phase. Affordable housing commitments will not commence until 200 units of market rate housing have been constructed.

### **Development Schedule**

The Master Developer will be responsible for developing detailed schedules for planning, design, financing, construction, and maintenance activities. This includes the coordination of all agencies, consultants, architects, engineers, contractors, sub-developers (if applicable), and property management functions.

### **Community Engagement**

The Master Developer must commit to working cooperatively with adjacent property owners, neighborhoods, labor organizations and other local and regional stakeholders in coordination with the City/LRA as applicable. This includes conducting strategic community meetings, creating and maintaining public comment processes for community involvement in the overall planning, creating and maintaining channels for public information, and working with elected officials and the media.

### **Coordination with Public Agencies**

The Master Developer will need to work with the LRA and various regional agencies to implement the CRP Area Plan, implement appropriate site zoning, and coordinate utilities infrastructure development. The Master Developer will need to closely coordinate with the LRA and state/federal resource management agencies.

### **Potential Incentives**

With the State-mandated demise of California's system of redevelopment, the City is highly constrained in its ability to provide any financial incentives to support implementation of the CRP Area Plan. Nevertheless, the LRA is willing to consider and/or pursue, in collaboration with the Master Developer, other forms of local, State and/or federal financial assistance that may further the LRA's CRP Area Plan goals.

## **4 - Knowledge of RFQ and Site Visit**

### **4.1 – Mandatory Pre-response Conference and Site Visit**

Respondents who submit an SOQ must make themselves fully informed regarding all circumstances, information, laws and any other matters that might in any way affect the Respondent's roles and responsibilities in the project. Any failure to become fully knowledgeable of any other matters that might, in any way, affect the project will be at the Respondent's sole risk. The LRA assumes no responsibility for any actions taken by Respondents on the basis of information provided in this RFQ or through any other sources.

There will be Pre-Response Conference and Site Visit held at the site on January 31, 2014. This date may shift to accommodate weather conditions. A specific time and place will be posted on the LRA website at [http: www.concordreuseproject.org](http://www.concordreuseproject.org) ten days prior.

## **5 - Selection Process and Submission Requirements**

### **5.1 - Master Developer Solicitation Process**

The LRA has established a three-phase process for soliciting a Master Developer to implement the CRP Area Plan. Phase I involves this RFQ. The intent of this phase is to identify candidate Master Developers who have the proven capacity, track record, and interest to develop the CNWS site. This will be accomplished through review of substantiated evidence of performance capacity and the capability to complete an undertaking of this magnitude, along with verification of prior or present involvement in projects similar to the CRP Area Plan. Pre-qualified Respondents identified in this phase will be invited to respond to a subsequent RFP. Phase II, the RFP phase, will require preparation and submission of detailed project and participant information that will provide sufficient basis for the LRA to assess the responsiveness to the RFP, adherence to the vision set forth in the CRP Area Plan, market feasibility, innovative ideas, strength of community benefits, and strength of the financial response (the "Proposal"). Pre-qualified Respondents who intend to submit Proposals will be required to present their qualifications and redevelopment concepts to a Selection Recommendation Panel ("Panel") and potentially at a public meeting prior to final selection. Phase III will involve negotiation of the terms and conditions of a Land Disposition Agreement with the selected Master Developer.

The Submission Requirements and Selection Criteria sections of the RFQ only address the RFQ phase and do not address the future RFP requirements. Requirements for the subsequent RFP phase will be made available at the appropriate time to the Pre-Qualified Respondents.

### **5.2 - Submission Requirements**

The LRA invites the submission of qualifications, supported by a concise vision for development expressed in words. No price proposal or site specific designs are requested at this time nor will any such information be considered at this stage in the process. The LRA seeks SOQs that offer a compelling approach for achieving its goals for implementing the CRP Area Plan, from organizations with the demonstrated capacity to deliver.

#### **Transmittal Letter**

The SOQ must include a cover letter transmitting the SOQ and acknowledging receipt of any and all amendments to the RFQ that may be issued. The letter must be signed by a Respondent representative who is legally capable of committing the Respondent to enter into an agreement with the LRA. The letter should be addressed to:

Michael W. Wright  
Executive Director, Local Reuse Authority  
City of Concord  
1950 Parkside Drive  
Concord, CA 94519

In order to be considered a valid response, in addition to the transmittal letter, each SOQ must contain the following information, organized and tabbed in the following order.

SOQs must be printed on 8½" x 11" paper, double-sided. Pages should be numbered (not including a title page, table of contents, section divider pages). The SOQ will be evaluated on the basis of its content, not length. Brevity is strongly encouraged. Total SOQ page count cannot exceed 30 numbered pages in 12 point font and 1.5 spacing, not including appendix materials.

### **Project Vision**

Elaborate on consideration of the goals and plans for the Site, within the context of the CRP Area Plan. In a narrative of no longer than five pages, this section of the response should include:

- A general statement of understanding about and evaluation of the development opportunity presented by the CRP Area Plan; and
- A general statement of development intent and design ambition for Phase I, and the relationship envisioned between Phase I and subsequent phases.

### **Project Team**

Introduce and describe the Project Team, defined as the Lead Developer plus any other developers and key team members, such as architects, engineers, affordable housing partners, contractors, lenders and attorneys whose participation is considered critical for consideration by the LRA. Respondents should provide information that explains the relationship among team members, their respective roles and contributions to the project, and the overall management of the team. The team composition should reflect the Respondent's current understanding of the CRP Area Plan and the LRA's goals and objectives. The LRA understands that some changes to the team composition, other than the overall team leadership, may be needed for the RFP stage of the process. Provide summary information about each member of the Project Team, their relevant experience and no more than two-page resumes (not counted in page count) for the primary staff member(s) responsible for their respective firm's performance on the Project Team.

### **Lead Developer Experience**

Introduce and describe the Lead Developer's experience, and provide information about the Lead Developer's track record of success with comparable developments. Each comparable development should detail the information listed below. Provide information on at least five projects and no more than ten.

- Location and name of project
- Total development scope and size (including residential uses, commercial component uses, TOD elements and infrastructure improvements, if applicable)
- Development schedule including explicit identification of time allotted to public processes and entitlements
- Land acquisition cost and project construction costs
- The amounts of debt and equity funds used to finance the project. Please provide contact information for the primary lender and equity providers for the project. Identify any local, state and/or federal funding sources used to fund project costs. Please provide contact information for a representative of the largest of any such assistance sources.

- An overview of the investment return thresholds that were established during the predevelopment process, and the returns that were actually achieved, or have been achieved to date, including an identification of the point in time that the project achieved a breakeven cash flow
- Description of the role of the development entity and unique challenges of the development
- Involvement of public agencies, their specific roles and contact information for a representative of the jurisdiction or agency in which the project was constructed.
- Description of community outreach and public participation processes.

### **Financial Capability**

Provide evidence of sufficient financial strength to undertake and successfully complete a project of this scale including:

- Annual reports or other public financial documents representing the Lead Developer's financial capability;
- If the company is privately held and there is no public information, provide a combination of documented evidence of prior transactions in which all or substantially all of the financing was provided by the Respondent, letters from banks and/or current or proposed financial partners indicating the scale or recent loans, the size of the credit line, or other information that will provide the City with assurance that the entity can fund a project of this scale without unduly stretching their resources. Please note: this information will be kept confidential provided it is appropriately identified in Appendix D;
- If, in the past 10 years, any funding sources or financial institution has taken any adverse action against the Lead Developer or any joint venture partner, such as terminating or restricting the use of funds, include a summary of such action and the outcome of the same. Respondents shall also indicate any litigation or settled litigation in which the Lead Developer has been involved over the last ten years, if any; and
- Three letters of reference from lenders or financial partners (public or private) to demonstrate financial capacity to undertake this Project. (These letters are excluded from page count.)

### **5.3 - Selection Criteria**

Each SOQ will be thoroughly evaluated by an SOQ Evaluation Committee of senior City staff and independent development professionals on the basis of Project Team experience and demonstrated ability to manage and complete a project of the scale and complexity envisioned by the CRP Area Plan. The Evaluation Committee may recommend to the City of Concord sitting as the LRA that none, one or more of the SOQ Respondents is most highly qualified for purpose of being invited to submit a Proposal. The City Council, sitting as the LRA, will approve the final selection list for receipt of the RFP. The basis upon which Respondents will be evaluated includes but is not limited to the following:

- Compatibility of Project Vision for the redevelopment with the community's goals for the re-use of the CNWS;
- Experience and background of the Lead Developer with an emphasis on experience in completing successful similar projects, including mixed-use, military-base re-use, transit-oriented developments, etc.;
- Experience and background of other members of the Project team with an emphasis on experience in completing successful similar projects;
- Financial capability and level of financial commitment;
- Completeness of Project Team with regard to the project elements described herein, including, but not limited to, mixed-use development, TOD development, and design.
- Understanding and acknowledgement of Master Developer responsibilities as set forth in this RFQ;

As its sole discretion, the SOQ Evaluation Committee may choose to interview potential Respondents as part of its evaluation process. The final decision about the short list of Respondents that will be invited to participate in the RFP phase of the Master Developer selection process will be made by the City of Concord City Council sitting as the LRA. The LRA reserves the right to request changes to the composition of Project Teams proposed by Master Developer respondents as needed to meet the City's goals to receive SOQs from the most highly-qualified respondents.

#### **5.4 - Questions**

All questions about this RFQ, other than those raised at the mandatory Pre-Response Conference and Site Visit, must be submitted via email only to Michael W. Wright (michael.wright@cityofconcord.org) by February 7, 2014. Respondents shall not direct questions to any other person within the LRA or the City of Concord, including staff, appointed officials, and elected officials or consultants to the LRA. Any questions discussed at the pre-conference meeting or received via email to the above-listed address will be posted on the LRA website (<http://www.concordreuseproject.org/>).

#### **5.5 - Project Context Resources**

The website <http://www.concordreuseproject.org/library> contains links to all relevant planning documents, including but not limited to:

- City Council and LRA staff reports
- Community Advisory Committee materials
- The CRP Area Plan (all three books)
- Environmental Impact Reports and related environmental documents
- Preliminary financial and fiscal impact projections of build-out
- Order-of-magnitude infrastructure cost estimates

### **5.6 - Submission Instructions**

Ten (10) hard copies of the SOQ, and one (1) electronic version on a USB flash drive in PDF format, in an envelope marked “CNWS Master Developer Statement of Qualifications” and bearing the name of the Respondent, must be received by 3:00 p.m. on March 18, 2014. Responses must be delivered to the following address:

**Michael W. Wright  
Executive Director, Local Reuse Authority  
City of Concord  
1950 Parkside Drive  
Concord, CA 94519**

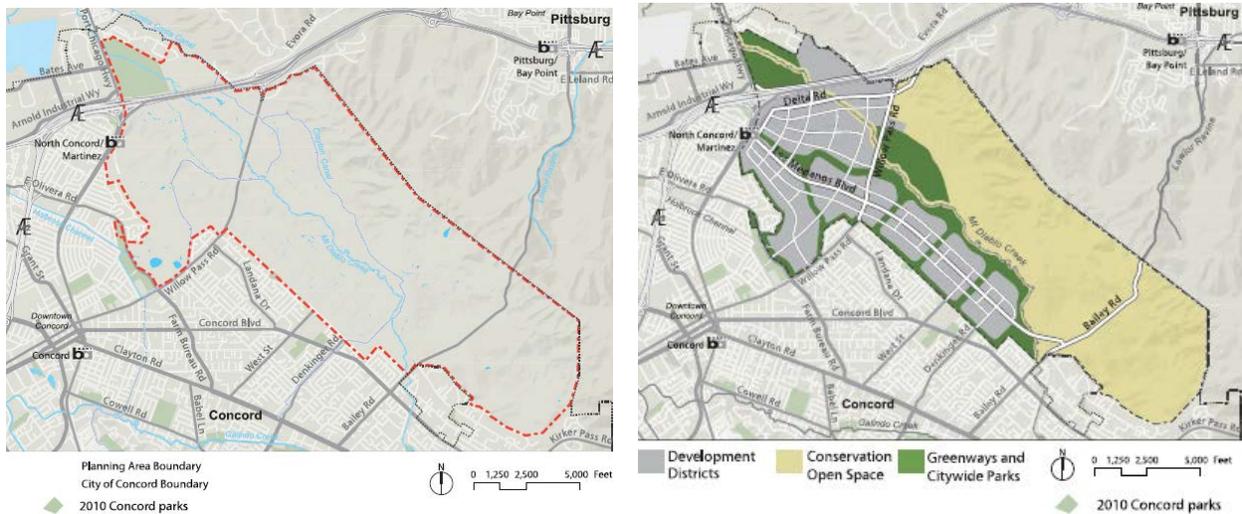
## Appendix A – CRP Area Plan Summary

### 1 - Development Program

In furtherance of the adopted CRP Area Plan, the LRA now seeks a Master Developer to undertake horizontal and vertical development, beginning with Phase I. The LRA will provide the selected Master Developer the first option to continue with subsequent phases of vertical and horizontal development.

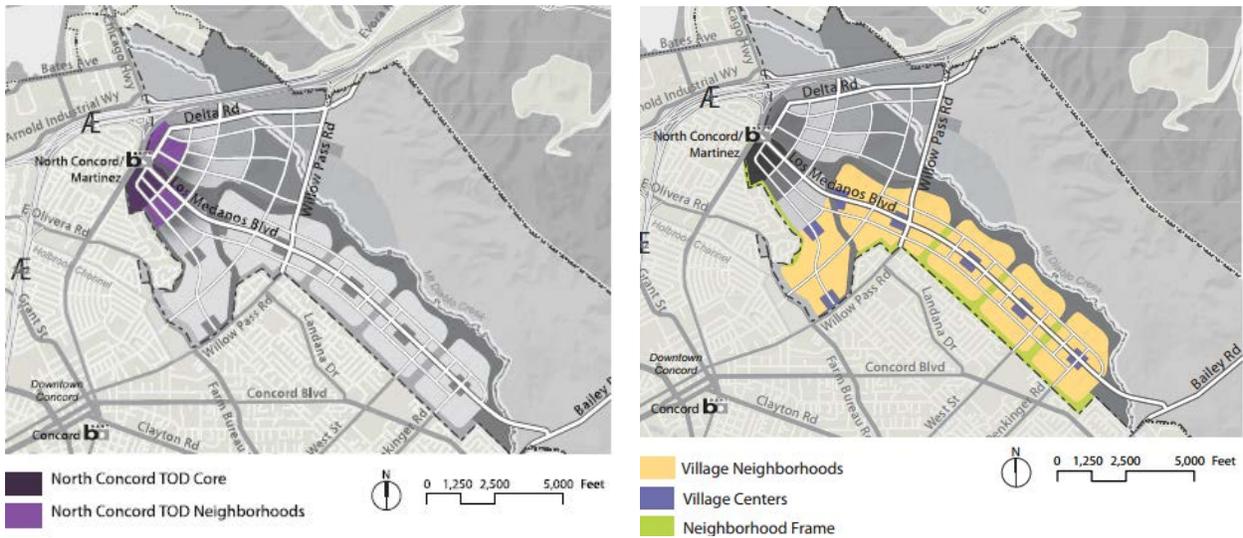
About 2,700 acres of the CNWS site's total of 5,046 acres will be set aside for habitat conservation/restoration, open space, and passive recreation lands, pursuant to a proposed Public Benefit Conveyance from the U.S. Navy to a regional parks agency, which is now under review. Another 800 acres will be set aside for Greenways and Citywide Parks.

Figure A-1: Development Program



Of the approximately 1,500 remaining acres, a first phase of development is expected to include a range of land uses, all connected to the North Concord/Martinez BART station, including mixed use areas: TOD Core, TOD Neighborhoods, and Central Neighborhoods, a first Village (including Village Center), the completion of Willow Pass Park, Commercial Flex uses adjacent to Highway 4, and the Concord Municipal Golf Course. The proposed tournament sports complex may be included in Phase 1 at the discretion of the Developer. Also part of the approximately 1,500 remaining acres is 85 acres that have been set aside for the potential development of a First Responder Training Center, pursuant to a proposed Public Benefit Conveyance from the U.S. Navy to the Contra Costa County Sheriff/Fire Districts.

**Figure A-2: Development Program Continued**



The CRP Area Plan development program is summarized in the table below. The precise acreage, number of housing units, and commercial floor space in each District will be defined during subsequent planning phases and may vary somewhat from the program summary, so long as overall development remains within the maximum site-wide total. The selected Master Developer will play a role in this process. District Open Spaces are included in the acreage shown for the Development Districts and total acreage includes the 18-acre BART property.

**Figure A-3: CRP Area Plan Development Program**

	Approximate Acres	Approximate Housing Units	Approximate Commercial Floor Space (SF)
North Concord TOD Core	55	700 (housing not required)	3,000,000
North Concord TOD Neighborhoods (all)	90	2,200	150,000
Central Neighborhoods (all)	180	2,600	100,000
Village Centers (all)	70	500	350,000
Village Neighborhoods (all)	740	6,200	N/A
Commercial Flex	210	N/A	1,700,000
Campus	120	TBD	800,000
First Responder Training Center	80	N/A	N/A
Greenways and Citywide Parks	786	N/A	N/A
Conservation Open Space	2,715	N/A	N/A
<b>Total</b>	<b>5,046</b>	<b>12,200</b>	<b>6,100,000</b>
<b>Maximum Site-Wide Total</b>	<b>5,046</b>	<b>12,272</b>	<b>6,115,718</b>

Within the residential areas, the CRP Area Plan provides further guidance about the preferred neighborhood housing mix. Once again, the number and mix of housing units will be defined during subsequent planning phases and may vary somewhat from the program summary.

**Figure A-4: Neighborhood Housing Mix**

District	Approximate Housing Units	Multi-Unit	Attached Single Unit	Mix of Detached and Attached Single Unit	Detached Single Unit
North Concord TOD Core	700	100%	-	-	-
North Concord TOD Neighborhoods (all)	2,200	80%	20%	-	-
Central Neighborhoods (all)	2,600	15%	75%	10%	-
Village Centers (all)	500	60%	40%	-	-
Village Neighborhoods (all)	6,200	-	35%	45%	20%
<b>Total</b>	<b>12,200</b>	<b>25%</b>	<b>40%</b>	<b>25%</b>	<b>10%</b>
<b>Typical Residential Building Height (stories)</b>		<b>3-6</b>	<b>2-3</b>	<b>2</b>	<b>2</b>

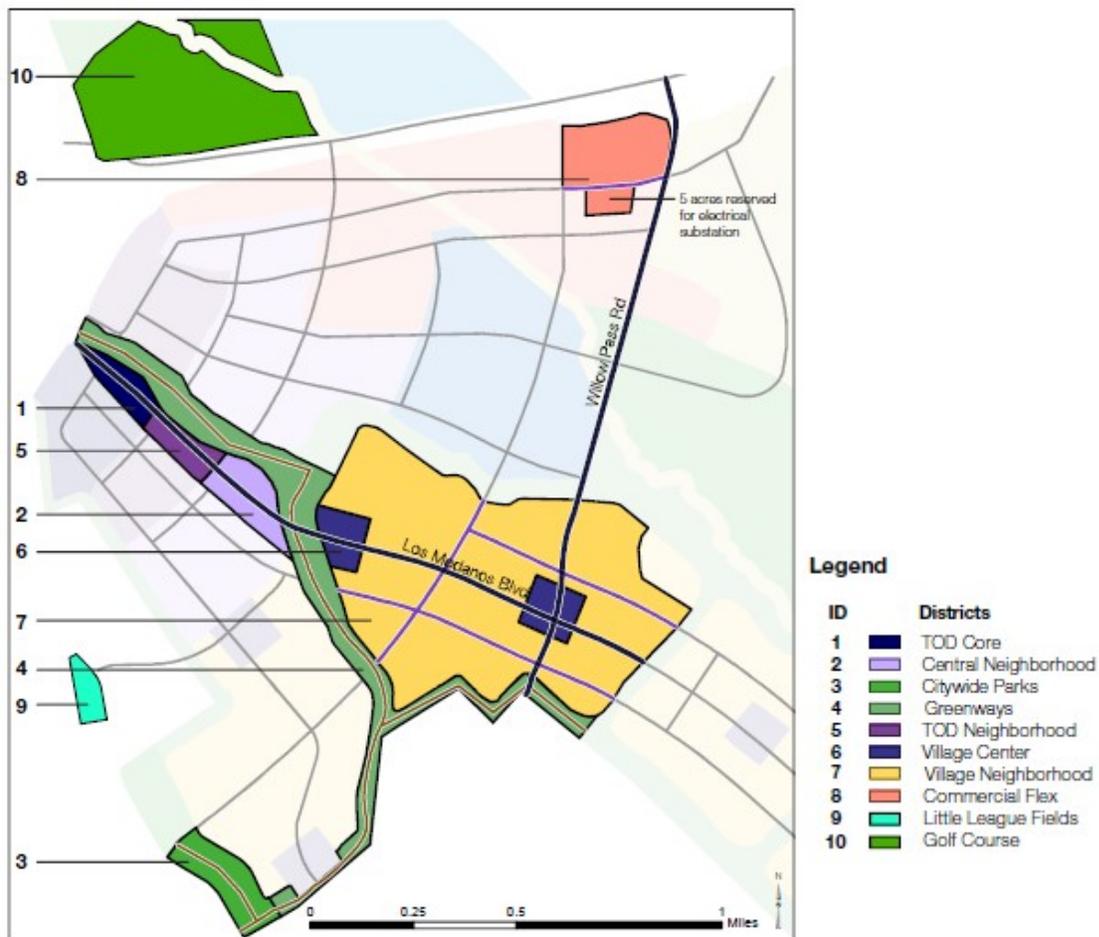
The CRP Area Plan further outlines standards for each District (“District Standards”), including the District’s intent, allowable density and intensity of use, required mix of uses, additional appropriate uses, convenience standards, and parking locations. Please refer to the CRP Area Plan for these details. The CNWS site also encompasses wetlands and other environmental values, most within the planned open space but at least two seasonal wetlands in potential development

areas. The CNWS site contains a significant amount of developed (Greenways and Citywide Parks) and undeveloped (Conservation) open space.

## 2 - Phase I

The first phase of the CRP Area Plan is estimated to require a ten-year build-out that is expected to include a range of land uses, all connected to the North Concord/Martinez BART station, including mixed use areas: TOD Core, TOD Neighborhoods, and Central Neighborhoods, a first Village or Villages (including Village Center), the completion of Willow Pass Park, Commercial Flex uses adjacent to Highway 4, and the Concord Municipal Golf Course. The tournament sports complex may be included in Phase 1 at the discretion of the Developer. Note that the Concord Municipal Golf Course is already partially in City ownership. Following transfer of the CNWS property, the City will retain ownership of the full golf course property. At the RFP stage the process and performance criteria for granting first option to continue with subsequent vertical and horizontal development will be defined.

**Figure A-5: Phase I Proposed Uses**



**Figure A-6: Phase I Development Program**

District	Area	Percent of Total District Area	Potential Residential Type		
			Single Family	Townhome	Multi-Family
	Acres	%			
TOD Core	9.5	21%	-	-	350
Central Neighborhood	15.3	8%	21	32	211
Citywide Parks	17.6	12%	-	-	-
Central Greenway	84.4	20	-	-	-
TOD Neighborhood	9.1	11%	-	55	193
Village Center	19.4	30	-	59	89
Village Neighborhood	228	28	1213	604	-
Commercial Flex	30.8	15%	-	-	-
<b>Total</b>	<b>414</b>		<b>1,234</b>	<b>876</b>	<b>663</b>

In the TOD Core, offices, shops, and multi-unit housing along lively streets will create an active pedestrian environment that supports local and regional businesses in conjunction with Concord’s city center. Some initial portion of the homeless housing accommodation will need to be sited within the multi-family area (25 units per acre) subject to specific planning and design. Per Council Resolution, 25% of the Phase 1 housing will need to meet affordability criteria but not before 200 units of market rate housing have been constructed.

**3 - Conservation, Open Space and Recreational Lands**

The CRP Area Plan designates approximately 69 percent of the CNWS site for habitat conservation/restoration, open space, and recreational land, creating an array of recreational opportunities while preserving valuable natural resources. The CRP Area Plan organizes open space into four categories: 1) habitat conservation/restoration 2.) passive recreation/ open space; 3) greenways 4) citywide parks and 5) district open space, serving neighborhoods and commercial districts. The Countywide Bike and Pedestrian Plan and the City of Concord Trails Master Plan provide a framework for integrating new trails with a citywide and regional trail network that extends throughout the Bay Area.

**4 - Community Facilities**

The CRP Area Plan designates facilities such as a library, schools, and arts centers as community focal points. Some facilities may serve people living and working in the immediate surroundings, while others will attract people from throughout Concord or even the whole Bay Area. While the CRP Area Plan does not identify specific sites for most community facilities, their location and design will play a central role in creating vibrant and safe centers that support all modes of transportation and enhance quality of life for Concord’s residents.

**5 - Circulation System Design**

The CRP Area Plan includes three interrelated and overlapping circulation networks: complete streets, a bicycle network, and a transit network. Complete streets accommodate many modes of travel, including pedestrian, bicycle, transit, and automobile and truck circulation, as well as

wheelchairs and strollers. The intent, function, and standards applicable to each street type are defined in the CRP Area Plan. The transit network facilities include the high-volume BART station and a high frequency bus that will travel within a dedicated lane between the BART station and the southern Village Centers and Neighborhoods along a new roadway: Los Medanos. The network will also include shuttles and other local bus routes, which will connect to the downtown Concord BART station and other major employment centers in the City. The intent, function, and standards applicable to each component of the transit network are defined in the CRP Area Plan. The bicycle network will serve bicyclists on a combination of dedicated and shared routes. Again, the intent, function, and standards applicable to each component of the bicycle network are defined in the Area Plan.

## 6 - Subsequent Phases

The projected Phase 1 build out will require approximately 10 years. Preliminary financial projections prepared for the LRA suggest subsequent phases will be built out in five-year intervals. These subsequent phases have been conceptualized for feasibility modeling, but have not yet been detailed in physical planning terms. The following table summarizes the approximate CRP Area Plan build-out over a total of 35 years, for illustrative purposes only. The details of the exact build-out are subject to change.

**Figure A-7: Overall CRP Area Build Out**

District	Phase 1		Phase 2		Phase 3		Phase 4		Phase 5		Phase 6	
	Housing Units	Commercial Space										
TOD Core	350	195,000	0	0	0	255,000	350	0	0	500,000	0	2,050,000
Central Neighborhood	211	8,000	395	23,250	557	75,000	0	0	510	25,000	490	75,000
TOD Neighborhood	248	0	493	12,875	496	59,000	738	9,375	662	50,000	0	0
Village Neighborhood	1,965	80,000	1,500	64,625	1080	6,000	1,080	106,000	1,075	5,875	0	0
Commercial Flex	0	306,000	0	665,000	0	244,000	0	485,000	0	0	0	0
Campus	0	0	0	0	0	0	0	800,000	0	0	0	0

## Appendix B - Utilities, Environmental Conditions, and Demolition

### 1 - Utilities

The CRP Area Plan and subsequent analysis commissioned by the LRA have produced preliminary tasks and order-of-magnitude cost estimates for “Backbone Infrastructure” required to support build-out over a 35-year period. Backbone Infrastructure includes demolition of existing structures, grading, installation of roadways, storm drainage improvements and transit facilities, including facilities to accommodate high frequency bus service, and provision of potable water, recycled water for irrigation, gas, electricity, telecoms, sewer, and fire protection. As refinements to the development program and specific timing and phasing of development take place, utility planning and design will change. Furthermore, as this is a long-term project, advances in technology and changing federal and state requirements are also likely to change the utility work plan for the CNWS site. The Master Developer will be responsible for providing 100 percent of Backbone Infrastructure that serves the new communities. Rough, order of magnitude estimates have been prepared for the City by ARUP and will be made available to Respondents.

Book 2 of the CRP Area Plan details existing conditions and future plans to provide required infrastructure. A summary of this section of the Plan is provided below.

**Water:** Existing water infrastructure includes portions of the Contra Costa Canal and the Clayton Canal and is supplied to the site and adjacent areas by the Contra Costa Water District (CCWD). A new water distribution system will need to be constructed as the CNWS site is developed. If feasible, this system may incorporate existing water infrastructure on the site. The new system will have two integrated components – a potable water distribution system and a recycled water distribution system. The CCWD Board of Directors has adopted a resolution expressing a commitment to serve the anticipated development program for the CRP Area Plan.

**Wastewater:** The City of Concord maintains and operates the wastewater collection system in most of Concord and Clayton; a small portion of the wastewater collection system is owned and operated by the Central Contra Costa Sanitary District (CCCSD). New wastewater collection lines will be needed as development of the CNWS site takes place. The City of Concord will provide wastewater collection services.

**Recycled Water:** Delivery of recycled water to the CNWS site will require construction of a pipeline connecting CCCSD’s treatment facility with storage facilities; expansion of tertiary treatment facilities will potentially be required. The specific needs for recycled water facilities are outlined in the FEIR.

**Stormwater Management:** A new storm drainage system will be constructed as the CNWS site is developed. The City’s Storm Drain Master Plan will be amended to reflect the additional drainage needs of this newly urbanizing area.

**Solid Waste Management:** Solid waste, recycling, and green waste collection services are provided to the CNWS site by the Concord Disposal Service (CDS). Development of the CNWS

site is projected to generate an estimated 137 tons of solid waste per day. This tonnage represents approximately 1.5% of the projected combined permitted capacity of the Potrero Hills and Keller Canyon landfills serving the area. These landfills are expected to have sufficient capacity to accommodate this demand.

**Energy:** A number of energy facilities currently cross the CRP Area Plan boundaries, some providing service to existing military uses and others transporting fuel or electricity to customers nearby. PG&E is the natural gas supplier for the CRP Area Plan and will also provide electric services to new development within the area. A new 5-acre substation will need to be built during the first phase to provide electricity from the existing transmission grid to a new electric distribution system that will be put in place as development occurs. A new overhead transmission line will also need to be built.

**Telecommunications:** AT&T is the major telecommunications provider in Concord, in addition to Comcast and Astound Broadband. The CNWS site is located within the area covered by the franchise agreement between Comcast and the City. Additional telecommunications infrastructure will be put in place as development occurs offering an opportunity to provide a state-of-the-art amenity.

## **2 - Environmental Conditions**

### **General Environmental Conditions**

A Final Programmatic Environmental Impact Report (EIR), Overriding Findings of Significance and a Mitigation Monitoring and Reporting Program (MMRP) on the Concord Community Reuse Plan were certified by the LRA in January 2010. The EIR and MMRP detail a full set of “Conservation and Open Space” issues including resource protection and planning, topography and landform, hydrology, water quality, vegetation and wildlife, special status species, and historic and archaeological resources. It also discusses issues relating to “Safety, Health and Noise,” including earthquake and landslide hazards, flooding, wildfire, air quality, hazardous materials, noise, airport related hazards, and public health and wellness.

An addendum to the EIR was prepared along with Overriding Findings of Significance and the MMRP in conjunction with the adoption of the CRP Area Plan and amendment of the 2030 Concord General Plan. These documents were certified by City Council in February of 2012. Book Two of the CRP Area Plan translates mitigations from the 2010 EIR and 2012 Addendum to the EIR into policies of the General Plan that will guide development.

### **Hazardous Materials**

Because this development opportunity involves a former military facility, it is important that any Master Developer fully understand the status of the clean-up efforts on the CNWS site.

The CNWS was listed as a Superfund Site by the Environmental Protection Agency (EPA) in 1994 primarily as a result of the contamination within the Tidal area of the Base, near Port Chicago. The Tidal Area remains operational as a military facility and is not part of the BRAC transfer. A range of pre-development clean up, monitoring, and site management requirements apply. The

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, 42 USC 9601 et seq.) and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP, 40 CFR 300) establish requirements and procedures for the federal government's environmental cleanup of hazardous materials on the CNWS site. CERCLA, furthermore, requires that a deed for federally owned property being transferred outside the government contain a covenant that all remedial action necessary to protect human health and the environment has been taken, and that the United States shall conduct any additional remedial action "found to be necessary" after transfer.

The Resource Conservation and Recovery Act (RCRA) requires a number of safe and secure procedures for treating, transporting, storing, and disposing of hazardous wastes and sets forth permitting requirements for hazardous waste management activities, including closing a facility. In 2003, the State Department of Toxic Substances Control (DTSC) closed the permitted hazardous waste facilities on the CNWS site and certified them as clean.

Not all of the areas requiring remediation are known at this time, as the Navy needs to undertake additional phases of site characterization and investigation. In regards to MEC (Munitions and Explosives of Concern), the Navy is entering a refined phase of investigation in an effort to more precisely estimate MEC removal and clean-up costs. Bunker and building demolition and abatement of asbestos and lead based paint on buildings will be the responsibility of the Master Developer. Cost estimates prepared for the LRA are included in the preliminary unit costs.

Since being listed as a Superfund Site, the Navy has followed a clean-up process in accordance with DOD remediation programs. These programs are listed below and more information on them can be found in Book Two of the CRP Area Plan.

- **Military Munitions Response Program** addresses areas where MECs might be present in the environment
- **Installation Restoration Program** identifies, investigates, and remediates contamination from hazardous substances, pollutants, and contaminants

Before any property comprising the CNWS site may be conveyed to the LRA for subsequent conveyance to the Master Developer, the Navy must complete a "Finding of Suitability for Transfer" ("FOST"), and will seek concurrence on the FOST from EPA and the California Department of Toxic Substance Control (DTSC) and the Regional Water Quality Control Board (RWQCB). At a minimum, as will be documented in the FOST, the Navy is responsible for the completion of remedial actions at CNWS that are required under CERCLA. Based on existing data, there are a number of areas planned for residential use that will need to be remediated to an "unrestricted use" standard. Future landowners should consult with the City, EPA, DTSC and RWQCB regarding oversight of the Navy's ongoing clean-up program at CNWS.

The Navy is required to take all remedial action necessary to protect human health and the environment with respect to hazardous substances remaining on the EDC Property as required by Section 120 (h)(3)(A) of CERCLA. However, the Master Developer should be aware that

opportunities for "fast-track" conveyance of the land do exist. Section 120 (h)(3)(C) of CERCLA allows Federal agencies to transfer property before all necessary cleanup actions have been taken. This provision, known as early transfer authority (ETA), authorizes the deferral of the CERCLA covenant requiring all remedial actions to be completed before Federal property is transferred, when the findings required by the statute can be made and the response action assurances required by the statute are given.

There is a possibility that the City will negotiate an environmental services cooperative agreement ("ESCA") with the Navy for completion of the cleanup of parcels that will be conveyed to the City under an Economic Development Conveyance ("EDC"). Funding under an ESCA will allow the City to expedite the cleanup of areas required for development and coordinate cleanup with redevelopment activities.

### **3 - Demolition**

Most of the Navy's former administration buildings are north of State Route 4. The approximately 35 buildings and associated storage structures range from wood frame to brick, concrete, steel, glass, and wood. Some of these buildings are believed to contain asbestos materials in addition to lead paint. The remainder of the developed portion of the CNWS site is primarily populated with storage bunkers (magazines), railroad tracks, and roads, including the former runway site. There are five magazine groups and two groups of barricaded railroad sidings. A total of 258 bunkers are spread across the CNWS site, 217 of which are located within the EDC area slated for transfer to the LRA. The majority of the bunkers are roughly 20,000 square feet in size, and are believed to have 6-inch thick concrete walls and floors. Some are smaller in size and/or built into hillsides, and 41 bunkers are located in the area to be owned and managed by the East Bay Regional Parks District. The bunkers have not been independently investigated, but based on Navy investigative reports it is believed that the concrete is not contaminated and can be recycled and used on-site. The runway is believed to cover approximately 12.5 acres.

Grading, installation of utilities, excavation for foundations, demolition and decommissioning of existing bunkers and buildings and similar activities could occur in areas with contaminated soil and groundwater, creating potential health risks to construction workers. These activities also have the potential to generate arsenic and other chemical dust that can be carried off-site. To reduce associated hazards, the Master Developer will be required to prepare Site Management Plans establishing requirements for worker health and safety, as well as air, soil, and groundwater monitoring.

The Master Developer will also be required to conduct surveys of any buildings planned for demolition or renovation. This will ensure that workers and visitors are appropriately protected from any hazards associated with lead-based paint, asbestos, and other materials found in structures. As noted above, the Master Developer will also be responsible for preparation and implementation of appropriate plans and procedures to control airborne transport of these materials during demolition.

## Appendix C - Federal Conveyance Process

### 1 - Status of Federal Land Disposal Process

Two statutes govern the disposal of base closure property: the Federal Property and Administrative Services Act of 1949 as amended (“Federal Property Act”), and the Defense Base Closure and Realignment Act of 1990, as amended (“Base Closure Law”). These statutes provide methods to dispose of surplus federal property to federal and non-federal recipients. Base Closure Law provides a range of different authorities that can be used to dispose of surplus property. At this time the LRA and the Navy are anticipating the use of the Economic Development Conveyance (EDC) and Public Benefit Conveyance (PBC) authorities.

The LRA plans to acquire the 2,500 acres of developable land through an EDC. An EDC permits the Navy to convey the property to the LRA for consideration at or below market value. The law also provides flexibility regarding the form of consideration. The Navy and City will be negotiating EDC payment terms and conditions that may ultimately be the responsibility of the Master Developer. More information regarding this requirement, including the status of Navy/City terms negotiations, will be shared during the RFP.

Consistent with Base Closure Law, the LRA screened the CNWS site for both PBC and Homeless Assistance uses. The Navy and the City are considering proposed applications for PBCs to transfer the easternmost 2,500 acres of the CNWS site to the East Bay Regional Park District (EBRPD) for park and open space purposes. An additional 85 acres north of Highway 4 is proposed to be transferred via a PBC to the Contra Costa County Sheriff/Fire Districts. The proposed parcels to be conveyed to EBRPD and the County Sheriff/Fire Districts (“PBC Parcels”) are more particularly described in the ARUP infrastructure cost study prepared for the LRA. Assuming acceptance of their PBC applications by the Navy, the requested parcels will be conveyed to EBRPD and County Sheriff/Fire Districts at no cost. The projected timetable for transfer of the potential PBC Parcels is concurrent with the first EDC Transfer, or thereafter as may be agreed by the parties.

In accordance with Base Closure Law, a Homeless Assistance Plan and associated Legally Binding Agreements (“LBAs”) were approved by the U.S. Department of Housing and Urban Development (“HUD”). The LBA’s indicate that no less than five parcels of land containing approximately 26 acres will be conveyed by the Navy to the City at no cost for development of up to 260 but no less than 130 units of multi-family transitional housing and a new food bank. The City will then convey each parcel to homeless providers and the Contra Costa Solano County Food Bank for the accommodation of the needs of the homeless. The LBA’s can be found on the Concord Reuse Project’s library website here: <http://www.concordreuseproject.org/library>. The specific location of each of the parcels will be determined as more detailed planning for implementation of the CRP Area Plan proceeds. The City will provide the Navy written notice upon determination of the specific location of each parcel, which notice shall include the projected conveyance date for each Homeless Parcel.

## 2 - Current Status of Site Disposition

The City intends to submit an application to the Navy in the fourth quarter of 2014 for an EDC in order to acquire the relevant portion of CNWS. In accordance with the provisions outlined in Chapter 32 of the Code of Federal Regulations, Section 174.9, this EDC application will be submitted to the Navy for review, determination of property value, negotiation of terms and subsequent recommendation for Department of Defense review and concurrence before announcing approval of the application.

The Master Developer will enter into an Exclusive Rights/Negotiation Agreement with the LRA until EDC terms with the Navy are finalized and can be incorporated into a Land Disposition Agreement (“LDA”). It is the LRA’s intention to sell land to the Master Developer, but the City may prefer ground leasing certain sites, to be determined through negotiations with the selected Master Developer. An expected timeline for the conveyance process is as follows:

EDC Term Sheet Finalized: 2014

EDC Application Submitted: 2014

Navy/City EDC MOA Executed: 2015

Phase I EDC Transfer: To be determined

PBC Transfers: To be determined

Homeless Parcel Transfers: To be determined

## **Appendix D - Standard Conditions**

### **1 - Cost of Preparing and Submitting Statements**

All costs incurred in preparing and submitting the SOQ are to be borne by the Respondent and not the LRA. In no event shall the LRA or the City of Concord be liable for any costs whatsoever for the preparation and submittal of a response to this RFQ.

### **2 - Reservations and Options**

The LRA and the City of Concord reserve the right to award any combination of services, reject any or all proposals, and/or waive informalities, minor irregularities, inconsequential deviations, and minor variations from specifications in SOQs received. Without limiting the foregoing, the LRA reserves the right and options to: reject any or all of the submittals; waive or modify any of the provisions of the RFQ; request modifications to the Project Teams proposed by Respondents; issue addenda to this RFQ; issue subsequent RFQs; cancel the RFQ process; and/or waive any errors in SOQs it receives.

### **3 - Conflict of Interest Disclosure**

By submission of a SOQ, the Respondent shall be deemed to represent and warrant the following to the LRA:

- No person or entity employed by the LRA or otherwise involved in preparing this RFQ on behalf of the LRA: (i) has provided any information to Respondent that was not also available to all other entities responding to the RFQ; (ii) is affiliated with or employed by Respondent or has any financial interest in Respondent; (iii) has provided any assistance to Respondent in responding to the RFQ; or (iv) will benefit financially if Respondent is selected in response to the RFQ; and
- Respondent has not offered or given to any LRA or City officer or employee any gratuity or anything of value intended to obtain favorable treatment under the RFQ or any other solicitation or other contract, and Respondent has not taken any action to induce any LRA or City officer or employee to violate the rules of ethics governing the LRA or City and its employees. Respondent has not and shall not offer, give, or agree to give anything of value either to the LRA or City, or any of its employees, agents, job shoppers, consultants, managers, or other person or firm representing the LRA or City, or to a member of the immediate family (i.e., a spouse, child, parent, brother, or sister) of any of the foregoing. Any such conduct shall be deemed a violation of this RFQ. As used herein, "anything of value" shall include but not be limited to any (a) favors, such as meals, entertainment, and transportation (other than that contemplated by this RFQ, if any, or any other contract with the LRA or City) which might tend to obligate an LRA or City employee to Respondent, and (b) gift, gratuity, money, goods, equipment, services, lodging, discounts not available to the general public, offers or promises of employment, loans or the cancellation thereof, preferential treatment, or business opportunity. Such term shall not include work or services rendered pursuant to any other valid LRA or City contract.

#### 4 - Miscellaneous Provisions

- **Notice of Modifications:** The LRA will post on the LRA's website (<http://www.concordreuseproject.org/.com/>) any notices or information regarding cancellations, withdrawals, modifications to deadlines, and other modifications to this RFQ. Respondents shall have an obligation to check the website for any such notices and information, and the LRA shall have no duty to provide direct notice to Respondents.
- **Change in Respondent Information:** If after Respondent has submitted an SOQ, substantive information provided in that SOQ changes, the Respondent must notify the LRA in writing and provide updated information. The LRA reserves the right to evaluate the modified response, eliminate Respondent from further consideration, or take other action as the LRA may deem appropriate. The LRA will require similar notification and approval rights of any change to Respondents' proposal or Project Team following selection, if any.
- **Restricted Communications:** Upon release of this RFQ and until final selection of Prequalified Respondents, Respondent shall not communicate with the LRA or City staff about the RFQ or issues related to the RFQ except as permitted under the terms of this RFQ.
- **Selection Non-Binding:** The selection by the LRA of Prequalified Respondents indicates only the LRA's intent to permit the Prequalified Respondents to continue with the process outlined herein, and the selection does not constitute a commitment by the LRA to execute a final agreement or contract with one or more of the Prequalified Respondents. Respondent therefore agrees and acknowledges that it is barred from claiming to have detrimentally relied on the LRA or City for any costs or liabilities incurred as a result of responding to this RFQ.
- **Confidentiality:** SOQ's and all other information and documents submitted in response to this RFQ are subject to the California Public Records Act, California Government Code §§ 6250 through 6276.48) ("CPRA"), which generally mandates the disclosure of documents in the possession of the LRA or City upon the request of any person, unless the content of the document falls within a specific exemption category (e.g., trade secrets and commercial or financial information obtained from outside the government, to the extent that disclosure would result in substantial harm to the competitive position of the person from whom the information was obtained). If Respondent provides information that it believes is exempt from mandatory disclosure under CPRA ("exempt information"), Respondent shall include the following legend on the title page of the SOQ:

**"THIS SOQ CONTAINS INFORMATION THAT IS EXEMPT FROM MANDATORY DISCLOSURE UNDER THE CALIFORNIA PUBLIC RECORDS ACT."**

In addition, on each page that contains information that Respondent believes is exempt from mandatory disclosure under CPRA, Respondent shall include the following separate legend:

**“THIS PAGE CONTAINS INFORMATION THAT IS EXEMPT FROM MANDATORY DISCLOSURE UNDER THE CALIFORNIA PUBLIC RECORDS ACT.”**

On each such page, Respondent shall also specify the exempt information and shall state the exemption category within which it is believed the information falls. Although the LRA will generally endeavor not to disclose information designated by Respondent as exempt information, the LRA will independently determine whether the information designated by Respondent is exempt from mandatory disclosure. Moreover, exempt information may be disclosed by the LRA, at its discretion, unless otherwise prohibited by law, and the LRA and City shall have no liability related to such disclosure.

- **Non-Liability:** By participating in the RFQ process, each Respondent agrees to hold the LRA and City and its and their officers, employees, agents, representatives, and consultants harmless from all claims, liabilities, and costs related to all aspects of this RFQ.
- **Restrictions:** By participating in the RFQ process, each Respondent acknowledges that the LRA and City are subject to various laws, rules, policies and agreements that impose legal and ethical constraints upon current and former LRA and City employees and consultants with regard to post-employment restrictions vis-a-vis such employee’s or consultant’s involvement in LRA- or City-led projects.
- **Accuracy of Background Information:** Information provided in this RFQ, as well as in related reports by LRA or City staff or its or their consultants is provided for the convenience of the Respondents only and is not intended to be exhaustive. The accuracy or completeness of this information is not warranted by LRA or City.