

City of Albuquerque

Request for Proposals Design-Build

Solicitation Number: RFP 03-2014

1st/Central Site
Northeast Corner of 1st Street and Central Avenue
Albuquerque, NM 87102



Issuance Date: June 9, 2014

Due Date: September 5, 2014 at 5 p.m. Mountain Standard Time
(Due date and time shall be strictly observed.)

Site Tour
10:00 A.M.
June 17, 2014

Northeast Corner of 1st Street and Central Avenue
Albuquerque, NM 87102

RFP Website: http://www.cabq.gov/planning/documents/copy_of_1stCentralInnovationSquareFinalRFP060914.pdf

City of Albuquerque Planning Department
Metropolitan Redevelopment

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ALL EXHIBITS CAN BE VIEWED AT: http://www.cabq.gov/planning/documents/copy_of_1stCentralInnovationSquareFinalRFP060914.pdf

Glossary of Terms

Throughout this RFP the terms that begin with capitalized letters are defined below:

Ad Hoc Selection Committee	A committee of five members that will evaluate and score the proposals based on the evaluation criteria and make a recommendation to the ADC.
ADC:	Albuquerque Development Commission. The Commission for the Metropolitan Redevelopment Agency.
City:	The Incorporated City of Albuquerque.
City Project Manager:	The City staff responsible for overseeing the issuance and awarding the RFP. For this RFP, Rebecca Velarde – (505) 924-3844, rvelarde@cabq.gov.
Development Agreement:	The terms of the awarded contract between the successful Proposer and the City.
Downtown Plan	The Downtown 2025 Sector and Metropolitan Redevelopment Plan.
FTE	Full Time Equivalent. The number of total hours worked divided by 2,080 hours. This metric will be used in proposals to measure the number of construction and permanent jobs created by the proposed redevelopment.
Master Developer	The Proposer that is selected by the ADC and enters into a Development Agreement with the City.
MRA:	Metropolitan Redevelopment Agency. A governmental entity that is housed in the Planning Department and is responsible for partnering with developers in redeveloping blighted areas of the City.
MR Area:	A defined area of the City determined to be blighted by the City Council.
MR Plan:	The required documentation that guides the redevelopment of the determined MR Area. An MR Plan must be in place before the State’s laws governing the MRA are allowed to be applied.
Project:	The focus of this RFP. This includes the property defined by this RFP and all developments on the site.
Proposer:	A person or entity responding to this RFP. Anyone that puts forth a proposal for this request.
RFP:	Request for Proposals. This document providing information and specifying the requirements for Proposers to bid on the Project.
Subject Site:	The City-owned property on the northeast corner of 1 st Street and Central Avenue in Albuquerque, New Mexico. The proposed Subject Site is shown in Exhibit A. The exact boundary of the Subject Site may change based on survey and required platting action. As seen in Exhibit B, the Subject Site consists of multiple parcels that will need to be replatted by the selected Proposer, but the buildable area is approximately 1.61 acres. A boundary and topographic survey for the area can be found in Exhibits C and D, respectively.
Zoning Code:	The City of Albuquerque Comprehensive Zoning Code. This is the Code of Ordinances controlling land development in the City of Albuquerque. This Code of Ordinances is Chapter 14, Article 16 of Albuquerque’s City Charter.

Part I: Project Overview and Background

A. Overview and RFP Objective for the Site

The City through its MRA is requesting redevelopment proposals to partner with one Master Developer to develop a downtown entertainment hub on City-owned property on the northeast corner of 1st Street and Central Avenue in Downtown Albuquerque. In order to encourage redevelopment of the site to achieve the City's project goals, the City will offer the Subject Site through a sale or long-term ground lease to the selected Master Developer for "fair value," which takes into account the community, economic, and social benefits of the planned redevelopment.

In addition to being economically feasible, any proposed redevelopment of the Subject Site should complement the Downtown community and the proposed Innovate ABQ site on the northwest corner of Broadway Boulevard and Central Avenue.

B. Project Goals

The following goals have been established for the Project:

- **Premier Entertainment Hub.** The City is looking for the Master Developer to develop the Subject Site into a premier entertainment hub with 21st Century amenities that fits seamlessly into the existing and proposed urban character. Proposals should include intense land uses to create an urban destination for residents and visitors of Albuquerque. The redevelopment could potentially feature dining, retail, market, lodging/hotel, entertainment, and special events to create a magnetic experience that draws people into the urban core. More specifically, the City desires the redevelopment to include: 1) multiple restaurants with diverse cuisine; and 2) multiple retail and/or entertainment spaces. In addition, the City shall require that all businesses within the proposed entertainment hub that require a liquor license will be under the same ownership. Businesses that require beer and wine licenses may be under separate ownership. The City will not accept proposals including residential workforce housing for the Subject Site.
- **Vitality.** The Subject Site is ideally located in the central urban fabric of Albuquerque and is located next to the proposed Innovate ABQ site, which will be developed by the University of New Mexico and its partners into a highly connected, business incubator community where people can live, work and play and develop new companies, grow existing ones and attract more business. Redevelopment proposals should build off of the energy of Innovate ABQ to create a corridor full of vitality, innovation and excitement.
- **Quality Design.** The City seeks proposals that feature a high quality and well-designed urban development that fits in Albuquerque's central core. The redevelopment should reflect the urban form (i.e. multistory buildings with minimal setbacks, maximizing the urban footprint) but should also include a special event outdoor gathering space, such as a plaza or courtyard, integrated within the design. The redevelopment should have a vibrant streetscape and direct pedestrian connections to Central Avenue and 1st Street. Further, the City recommends proposals with a safe and pedestrian-friendly connection to the Innovate ABQ site and the Convention Center parking garage. In order to maintain the urban "feel" of Downtown Albuquerque, proposals should include connections to existing parking in the surrounding area. The Subject

Site should provide public access and be a continuation of the public realm. Finally, service areas for the redevelopment should not negatively affect the public realm.

- ***Catalytic Economic Redevelopment.*** The proposed redevelopment should be of such quality that it adds and integrates into the Downtown community and catalyzes economic growth and redevelopment, including office, residential and retail, in the surrounding area.
- ***Experience.*** The project team shall be experienced and professional with a demonstrated expertise and track record in the development of entertainment hubs in urban environments that have revitalized communities and furthered economic redevelopment.

C. Context of the Subject Site

The Subject Site is in the heart of Downtown Albuquerque on the northeast corner of 1st Street and Central Avenue. The site is currently a paved, at-grade parking lot owned and operated by the City. The Proposer should include as part of the Subject Site the pedestrian island, which is southwest of the parking lot, and the portion of Copper Avenue that serves as a right-turn lane from Central Avenue to 1st Street (see Exhibit A).

Land uses around this area are very mixed and include retail, office, restaurant, institutional, multifamily housing, hospitality, theatre and entertainment. To the North of the site is the East Building of the Albuquerque Convention Center along with the Convention Center's parking garage, parking garage egress ramp, and service ramp. East of the Subject Site are railroad tracks utilized by Burlington Northern Santa Fe ("BNSF") Railway Company and the New Mexico Rail Runner Express, which offers commuter rail service along a 96.5 mile corridor that runs through Valencia, Bernalillo, Sandoval and Santa Fe counties. South of the Subject Site is the Alvarado Transportation Center, which is a multimodal transit hub that services ABQRide, Amtrak, Greyhound Lines, and the New Mexico Rail Runner Express. A mixed-use development is on the Southwest corner of 1st Street and Central Avenue, and it includes a movie theatre, restaurants, offices, and the Sunshine Theatre. Immediately west of the Subject Site is a privately-owned surface parking lot and office building.

East of the railroad tracks on the northwest corner of Central Avenue and Broadway Boulevard is the location of the proposed Innovate ABQ, which is a collaborative project between the University of New Mexico, the City, Bernalillo County, and local businesses to establish an incubator community to create new companies, grow existing ones and attract more out-of-state business. The idea is to create a one-stop-shop approach for companies, entrepreneurs and investors seeking to evaluate new technology business opportunities. The integrated community would also include residential living space and amenities for the workers who benefit from the new jobs created by this synergy.

D. The State Metropolitan Redevelopment Code and Creation of an MR Area and MR Plan

As defined by the State of New Mexico Redevelopment Code §3-60A-7, a MR Area may be established by a local governing body, such as the Albuquerque City Council, with the adoption of a finding that "rehabilitation, conservation, slum clearance, redevelopment or development, or a combination thereof, of and in such area or areas **is necessary** in the interest of the public health, safety, morals or welfare of the residents of the municipality."

Following adoption of an MR Area, the local governing body may adopt a MR Plan. Under State of New Mexico Redevelopment Code § 3-60A-9, it must be found that:

- (1) *The proposed activities will aid in the elimination or prevention of slum or blight;*
- (2) *A feasible method is included in the plan to provide individuals and families who occupy residential dwellings in the metropolitan redevelopment area, and who may be displaced by the proposed activities, with decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such individuals and families;*
- (3) *The plan conforms to the general plan for the municipality as a whole; and*
- (4) *The plan affords maximum opportunity consistent with the needs of the community for the rehabilitation or redevelopment of the area by private enterprise or persons, and the objectives of the plan justify the proposed activities as public purposes and needs.*

Once an MR Area is designated and the respective MR Plan adopted, the local governing body may utilize § 3-60A-12 of the New Mexico State Code to dispose of property under municipal control:

*A municipality may sell, lease or otherwise transfer real property or any interest therein acquired by it in a metropolitan redevelopment area and may enter into contracts with respect thereto for residential, commercial, industrial or other uses, or for public use, or may retain such property or interest for public use, in accordance with the plan. The purchasers or lessees and their successors and assigns shall be obligated to devote the real property only to the uses specified in the metropolitan redevelopment plan for a period of years as set out in the sale or lease agreement and may be obligated to comply with other requirements which the municipality may determine to be in the public interest, including the obligation to begin within a reasonable time any improvements on real property required by the plan. The real property or interest shall be sold, leased, otherwise transferred or retained at not less than its **fair value** [emphasis added] for uses in accordance with Redevelopment Law as determined by the governing body of the municipality or by the metropolitan redevelopment agency, if so authorized.*

E. The Downtown 2025 Metropolitan Redevelopment Plan

On November 10, 2003, the City Council designated the downtown core as the Downtown MR Area and adopted the Downtown 2010 Sector Plan as the Downtown MR Plan on May 3, 2004 (the name “Downtown 2010” was recently changed to “Downtown 2025”). The purpose of this MR Plan is to establish the necessary goals for creating healthy economic environments and increasing job opportunities, as well as land values. The goal of the Downtown MR Plan is “*to make Downtown Albuquerque the best mid-sized downtown in the USA.*”

The plan also includes a number of community commitments, including:

- *Make Downtown Albuquerque a “pedestrian-first,” “park-once” place with excellent pedestrian, transit and bicycle facilities;*
- *Make Downtown Albuquerque New Mexico’s premier pedestrian-oriented “urban place”;*
- *Preserve and enhance the character of the neighborhoods which surround Downtown Albuquerque;*
- *Have at least 20,000 people living within one mile of the Albuquerque’s Downtown Core, and 5,000 living within the Downtown Core by 2010;*
- *Create Downtown Albuquerque as an exciting “urban retail destination”;*

- *Maintain Downtown Albuquerque as New Mexico’s largest employment center and the Region’s Center of Economic Activity;*
- *Make Downtown Albuquerque a vibrant, urban 24 hour destination for arts, culture and entertainment;*
- *Make Downtown Albuquerque and the Historic District a “Tourist Destination”;*
- *Create new parks, open space and plazas that are easily accessible to downtown residents, workers, students and visitors; and*
- *Develop, maintain, and market Downtown as if it were a single mixed-use project.*

F. Offering of the Site

- **Current Ownership:** City of Albuquerque
- **Location and Site Description:** The proposed replat for the Subject Site is shown in Exhibit A. It is located on the northeast corner of 1st Street and Central Avenue. The Subject Site will be approximately 1.61 acres and will be approximately 220’ by 320’.

The current parcelization is shown in Exhibit B. Exhibits C and D include a boundary survey and a topographic survey, respectively.
- **Title Report:** A title search report on the Subject Site dated January 28, 2014 can be found in Exhibit E.
- **Appraisal:** As seen in Exhibit F, an appraisal for the Subject Site was completed on April 6, 2014. The appraised value was found to be \$1.4 million.
- **Zoning:** The Subject Site is currently an SU-3 zone with a Government/Financial/Hospitality focus. Permitted uses in this zone include residential above the ground floor, retail/services, and office/institutional. Uses that require review of the Environmental Planning Commission include residential on the ground floor and warehouse/wholesale. Manufacturing is prohibited on the Subject Site. For more information, please see the Downtown Plan in Exhibit G.
- **General Conditions.** As seen in Exhibit A, the majority of the Subject Site is currently a paved, at-grade parking lot owned and operated by the City.

On the southwest corner of the Subject Site, a right turn lane for westbound vehicular traffic from Central Avenue to 1st Street cuts into the Subject Site. The right-hand turn lane creates a pedestrian island on the northeast corner of 1st Street and Central Avenue. The City encourages Proposers to “square off” the Subject Site by reconfiguring the turn lane and incorporating the existing right-hand turn lane and pedestrian island into the Subject Site as shown in Exhibit A, leaving a standard turn lane. See Exhibit H for potential construction plans for the reconfiguration of this intersection.

As shown in the topographic survey in Exhibit D, immediately south of the Subject Site, the vehicular and pedestrian traffic along Central Avenue transitions from below grade on the east side of the Subject Site to at grade on the west side of the Subject Site.

As seen in Exhibit I, a large CenturyLink duct bank runs just north of the Subject Site. This infrastructure is important for servicing the needs of Downtown Albuquerque. Though it currently is not within an easement, CenturyLink is actively negotiating with the City to obtain an easement for this infrastructure. This easement is not expected to encroach on the Subject Site any further than the existing curb line. Proposers should take into account the duct bank when designing the proposed redevelopment.

In 2004, the City completed a Phase 1 Environmental Site Assessment (“Phase 1”) and Phase 2 Environmental Site Assessment (“Phase 2”) for the Subject Site and the surrounding area as seen in Exhibits J and K, respectively. The Phase 1 and Phase 2 pointed to potential volatile organic compounds within the subsurface of the Subject Site.

Based on the Phase 1 and Phase 2, the New Mexico Environment Department (“NMED”) requested a Stage 1 Abatement Plan from BNSF (See Exhibit L). BNSF then commissioned an investigation report, which is dated June 7, 2005 and analyzed the soil and groundwater underneath the site (See Exhibit M). Based on these results, NMED approved BNSF’s Stage 1 Abatement Plan of continuing to monitor groundwater on the Subject Site (See Exhibit N). A recent groundwater monitoring report dated July 31, 2013 commissioned by BNSF can be found in Exhibit O. Overall, the soil contamination does not appear to be causing groundwater contamination on the Subject Site. Nevertheless, the City commissioned a vapor study of the Subject Site dated April 21, 2014, which did find some evidence of vapor emissions on the Subject Site (See Exhibit P).

The City also commissioned a Geotechnical Engineering Study in 2004, as seen in Exhibit Q. This study evaluated the physical properties of the subsoils underlying the Subject Site and the surrounding area for a proposed Albuquerque Arena Facility, which was never built. The study proposed a foundation system for the Albuquerque Arena Facility.

Finally, the Subject Site currently is serviced by multiple public transit options, including local bus lines, Rapid Ride bus lines, and the New Mexico Rail Runner Express train service.

Part II: Project Assistance and Incentives and Master Developer Responsibilities

A. Project Assistance and Incentives

The City is open to a public-private partnership to spur growth and investment in the area. The MR Area designation discussed above and the MR Plan allow the MRA to find alternative solutions to revitalizing the area under State Laws as defined in the New Mexico Redevelopment Code, §3-60A. Due to this section of the Redevelopment Code, the City offers the following framework for this project:

1. **Cost of the Site:** All sale prices and ground lease rates will be considered, as long as the City can show **fair value** was obtained as described in NMSA §3-60A-12. In order to help ensure a high-quality development for years to come, the City will include provisions in the purchase agreement or ground lease (or associated contracts) to require:
 - a. Reasonable consent of the City for any subtenants that are not affiliates of the selected developer and any new property manager that was not included in the original proposal of the selected developer;
 - b. Maintenance of the Subject Site and its improvements to be in accordance with a first-class facility;
 - c. The City’s reasonable approval for any change in use from the original Proposal of the selected developer; and
 - d. Any and all subtenants to be bound by these provisions.

Additionally, the City will include performance measures and claw back provisions in any executed Development Agreement. Though the City will require the terms described above, the City is open to negotiation of many other terms of the sale or grand lease.

2. **Direct Financial Assistance:** Through parking revenue bonds, the MRA may have \$1,516,281 to benefit the Subject Site available as a loan or reimbursable grant to the developer (the “Parking Funds”). The Parking Funds are remnants of funds utilized to build other parking facilities in the downtown area. The MRA is currently seeking City Council approval to update the scope of the Parking Funds in order for the funds to be utilized by the selected Proposer. If the MRA does not receive City Council approval, the Parking Funds might not be available for use by the selected Proposer.

If the Proposer chooses to utilize the Parking Funds, the City will require:

- a. The Parking Funds will be utilized to develop 120 public parking spaces, or the maximum amount practical for one level of underground parking, on the Subject Site that benefit downtown multifamily, commercial and retail development;
- b. The City will receive a percentage of the revenues of the parking facility, which percentage will be determined by a ratio based upon the City’s contribution to the parking facility as compared to the developer’s contribution to the facility (details of which will be determined during negotiation of the Development Agreement);
- c. The rates of the parking facility developed on the Subject Site will match the rates of City parking lots in the downtown area; and
- d. The parking facility will utilize the City’s current operating system, which is the McGann Parking Management System, or seamlessly work with the City’s current system to allow the City to reconcile its parking finances.

Additionally, the City would prefer that the parking garage be operated with an automated system.

Though this direct financial assistance is an option for Proposers, a Proposer may decide against utilizing this assistance, and the City will not require parking on the Subject Site.

3. **Off-Site Parking:** Once a Proposer has been selected, the City will negotiate with the selected Proposer to identify evening and weekend parking in current facilities not on the Subject Site to serve the proposed redevelopment.
4. **City Plans to Benefit the Subject Site:** The City is currently developing plans and applying for funding for improvements that directly benefit the Subject Site. These improvements include a Bus Rapid Transit (“BRT”) line and walkability improvements.

The City’s Transit Department is currently considering a BRT plan for the Central Avenue Corridor from 98th Street to Tramway Boulevard. The desired funding for the BRT plan would include a mix of Federal Transit Administration (“FTA”) funds and non-federal funds. The City has completed a feasibility assessment and has been accepted into project development for a BRT plan. If the City receives FTA funding following the project development phase, it expects to start construction in the spring of 2016. The implementation of the BRT system, including a likely BRT station at the Subject Site, will further increase access to the Subject Site.

The City has applied for a Transportation Investment Generating Economic Recovery (“TIGER”) grant to obtain funding for walkability and street improvements for the areas shown in Exhibit R. The proposed improvements include:

- a) Walkability improvements between Civic Plaza, the Convention Center, and the Subject Site, including enhancing the connection between the Convention Center parking garage and the Subject Site;
- b) Inputting public art and decorative pedestrian lighting;
- c) Promoting the south end of Convention Center East for development with cafes, shops, and patio seating;
- d) Creating an above-grade pedestrian connection between the Subject Site and the Innovate ABQ site;
- e) Reconstructing the long, curved westbound right-hand turn lane from Central Avenue to 1st Street to a standard intersection as more fully described Part I.F, Offering of the Site, General Conditions, set forth above on page 7 (see Exhibit H for potential construction plans for this reconstruction);
- f) Improving the location of the Central Avenue/1st Street bus stop and possibly using it for the proposed BRT system; and
- g) Working with the New Mexico Mid-Region Council of Governments to realign three railroad tracks over Central Avenue and constructing sidewalks along Central Avenue to at-grade at the railroad tracks to enhance the pedestrian crossing between East Downtown and Downtown.

These proposed improvements may change. If the City receives a TIGER grant award, it expects to start construction in early 2015 and complete by September 2016. If it does not receive an award, the City is committed to continued efforts to find funding to implement at least proposed improvements e) through g) as outlined above.

5. **Public Art:** If the selected Proposer is amenable to the concept, the City will fund public art on or near the Subject Site. The City will work with the developer to understand their needs and limitations for the content and placement of the art. These conversations will guide the criteria for selection of the public art. The final selection will follow the standard public art process, which includes a selection committee of which the developer and/or tenants will be voting members.

Though this public art assistance is an option for Proposers, a Proposer may decide against utilizing this assistance, and the City will not require public art on the Subject Site.

6. **Assistance with City Development Process:** Upon selection of the development team, MRA will assist the successful Proposer by co-sponsoring any associated land use approvals necessary to accomplish the Project. Services will include advice and assistance with zoning review, site plan or subdivision approvals, and plan check and building permits, expediting when possible. The successful Proposer, at his expense, will be responsible for the preparation of all documentation to obtain any associated approvals and/or permits required to complete the project, as well as permit fees. The City may waive the impact fees, as well.
7. **Other Public Funding Sources:** Other public funding sources may exist that are not listed in this RFP. The City encourages Proposers to apply for other public funding sources, if

necessary. It should not be assumed that any or all of the sources can be applied simultaneously to the (re)development. Proposers should keep in mind public incentives are subject to possible future amendments to applicable local, state and federal laws, regulations and policies that govern those incentive programs.

B. Master Developer Responsibilities

The selected Master Developer will be responsible for all aspects of the redevelopment of the Subject Site, including, but not limited to:

- Visioning, subject to the City’s approval;
- Replatting of the Subject Site;
- Budgeting and Financing;
- Environmental Analysis and Remediation;
- Design and Plan Review Processes;
- Contractor Selection and Oversight;
- Construction;
- Close-Out;
- Oversight/Management; and
- Although not required, the selected Master Developer may also consider negotiating with owners of adjacent or nearby property to acquire or lease such property and utilize it in a larger redevelopment proposal; however, the City will not be involved in such negotiations or acquisitions.

Part III: Proposer Submittal

A. Schedule for Response to RFP

The following listing of important deadline dates below applies to this RFP. The City reserves the right to revise this schedule in the event that it is needed. If a revision to this schedule must occur, the addenda will be posted to the City’s website: www.cabq.gov/planning/our-department/urban-design-and-development/metropolitan-redevelopment-section/request-for-proposals

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|---|------------------------------------|
| ▪ Issue RFP | June 9, 2014 |
| ▪ Site Tour | June 17, 2014 (10:00 am at site) |
| ▪ Deadline for submitting RFP questions
(City responses due within 5 business days of submittal) | August 15, 2014 |
| ▪ Proposals Due | September 5, 2014 at 5 p.m. MST |
| ▪ Ad Hoc Committee Evaluation | September 8, 2014-October 15, 2014 |
| ▪ Presentation to ADC for Selection | October 16, 2014 |

B. RFP Contact and Communication

For this solicitation, direct all communication to the City Project Manager, Rebecca Velarde:

**City of Albuquerque Planning Department
Metropolitan Redevelopment Agency
Attn: Rebecca Velarde
Plaza del Sol, 3rd Floor
600 2nd Street NW
Albuquerque, NM, 87102**

Direct contact information for the City Project Manager is **(505) 924-3844 or rvelarde@cabq.gov**.

Interested Proposers may download a copy of this solicitation from: www.cabq.gov/planning/our-department/urban-design-and-development/metropolitan-redevelopment-section/request-for-proposals.

It is the responsibility of all Proposers to examine this entire RFP and seek clarification of any requirement that may not be clear and to check all responses for accuracy before submitting a proposal. Negligence in preparing a proposal may result in the submittal being deemed non-responsive in the City's sole discretion. The Proposer shall be responsible for fully understanding the requirements of the RFP and subsequent documents.

If there are questions about the RFP or the RFP process, please contact the City Project Manager listed above. Note that the City Project Manager may answer informal technical questions regarding the RFP orally. The City makes no warranty of any kind as to the correctness of any oral answers and uses this process solely to provide minor clarifications rapidly. Oral statements or instructions shall not constitute an amendment to this RFP.

It is the Proposer's responsibility to keep apprised of answers to questions and any amendments to this RFP by frequently checking the following website: www.cabq.gov/planning/our-department/urban-design-and-development/metropolitan-redevelopment-section/request-for-proposals. Failure to submit timely proposals pursuant to the RFP and any addendums may be grounds for deeming a submittal non-responsive.

Any protests to any portion of this RFP or the procedure in selecting the successful Proposer will be handled as described in Part V.D.

C. Formal Inquiries

During the Project awarding process, commencing with issuance of this RFP and continuing until award of a contract for the Project (or cancellation of the award), no employee, member or agent of any Proposer shall have any ex-parte communications regarding this award with any member of the City, their advisors or any of their contractors or consultants involved with the awarding, except for communications expressly permitted by the City Project Manager and this RFP.

Any Proposer engaging in such prohibited communication may be disqualified at the sole discretion of the City.

All formal inquiries or requests for significant or material clarification or technical interpretations or notification to the City of errors or omissions relating to this RFP must be directed, in writing, to the City Project Manager. Requests must be submitted on the Inquiry Form (Exhibit S) provided on the City's website. All questions must be delivered to the City Planning Department's reception desk at the City Planning Department, Plaza del Sol building, 3rd Floor reception desk, attention Rebecca Velarde, 600 2nd Street NW, Albuquerque, NM, 87102 or e-mailed to the City Project Manager at rvelarde@cabq.gov. The City Project Manager will post these inquiries and affiliated responses to the website within 5 business days of receipt of the inquiry. The source of the question will not be disclosed until the contract has been awarded.

D. Preparation of Proposal

- All responses shall be in the format described below in Section E., Proposal Format and Requirements. Facsimiles or electronic mail proposals will not be considered.
- Erasures, interlineations, or other modifications of the proposal shall be initialed in original ink by the authorized person signing the proposal.

- Periods of time, stated as a number of days, shall be in calendar days.
- The City will not reimburse the cost of developing, presenting, submitting or providing any response to this solicitation. All materials and proposals submitted in response to this solicitation become the property of the City and will not be returned.

E. Proposal Format and Requirements

The proposal shall provide the name, title, address, telephone number and email of individuals with authority to contractually bind the Proposer and who may be contacted during the period of the contract negotiations. The written proposal shall be signed by an individual authorized to bind the Proposer. Required Format is:

1. Proposals shall be submitted as **an original, 6 hard copies (plus one electronic copy in pdf format)** formatted on 8-1/2" x 11" loose leaf paper in a three-ring binder and tabbed by sequential sections as identified in Submittal Content for ease of reference. Proposals should address the proposal requirements and must NOT exceed 40-single sided typewritten pages (or 20-double sided pages), inclusive of any illustrations, images, and other pertinent documents. Items excluded from this page limit are as follows: title/cover page; table of contents; tab pages; information that is asked for in Sections IV.E.1, IV.E.4, and IV.E.5; and resumes.
2. Any Proposer submitting a proposal shall be deemed to have read and understood all the terms, conditions and requirements in the RFP and any addenda. Proposals should include all criteria for selection to be considered complete. Any proposal that does not meet this requirement may be considered non-responsive.
3. Proposers submitting proposals which meet the Evaluation Criteria and which are deemed to be the most advantageous to the City may be requested to give a presentation to the Ad Hoc Selection Committee and/or the ADC.
4. All responses and accompanying documentation to the RFP will become the property of the City at the time the proposals are opened.

PART IV: Submittal Content

All Proposer's responses shall address each of the items listed herein, but may also include any other items which the Proposer believes may be important to the project. The organization of the submittal information shall follow the order of the Submittal Content in this RFP.

A. Development Overview

1. Contact Information

Provide the primary contact information for the principal individual(s) representing the Proposer. This section of the proposal should also identify the Proposer's company or organization that will enter into contracts with the City and the individuals that will sign on behalf of the Proposer.

2. Project Summary

Provide a concise summary of the overall proposal.

B. Consistency with the City's Project Goals

1. Premier Entertainment Hub

Provide an overview of the planned entertainment hub and its associated amenities.

Describe the proposed uses and potential tenants. Share a description of the anticipated approach to programming and redevelopment of the Subject Site. Describe liquor

licenses and beer and wine licenses required. Additionally, describe which potential tenants will require a liquor license, and if these tenants will be under the same ownership. Share an overview of how the Proposer or the Proposer's agent will manage the property to ensure a high quality development that will draw Albuquerque residents and visitors to Downtown Albuquerque. Further, describe the type and frequency of special events that will occur on the developed Subject Site.

2. Vitality

Describe how the proposed redevelopment will build off of the energy of Innovate ABQ and help create a corridor of vitality and innovation.

3. Quality Design

Provide design information for the Project in the form of color drawings and exhibits suitable for study. Describe how the design reflects the urban form, includes a vibrant streetscape, and provides pedestrian connections to Central Avenue, 1st Street, Innovate ABQ, the Convention Center, and parking. Share how the design will provide public access and a continuation of the public realm. Finally, describe service areas and design plans to ensure they do not negatively affect the public realm.

At a minimum, include a conceptual site plan and elevation renderings that demonstrates the proposal.

4. Catalytic Economic Redevelopment

Describe how the project will act as a catalyst for further redevelopment in the surrounding area.

5. Experience

Proposer must provide a brief description of their team's demonstrated expertise and track record in the development of entertainment hubs in urban environments that have revitalized communities and furthered economic development. This description should include the team's experience in financing, developing, and leasing. Provide at least one example of a past successful urban and/or mixed-use development that the Proposer was involved in or a redevelopment project for which the Proposer took the lead. In addition, provide information on the proposed property manager for the redevelopment and their experience managing similar, high-quality entertainment hubs.

C. Benefit to the Surrounding Community

1. Benefit to the Community

Briefly describe the proposed benefits to the community as compared to the City's investment in the proposed Project. Benefits could include, but are not limited to, removal of blight, creation of jobs, promotion of economic development along with the creation of market rate housing.

Additionally, provide the Proposer's expectations of the number of construction-related FTEs created if the redevelopment is selected and the number of permanent FTEs created on the Subject Site for each year of the ten years following obtaining a Certificate of Occupancy for the Subject Site. This information will be used to measure performance and determine claw back provisions in an executed Development Agreement.

D. Financial Structure

1. Project Budget

Provide a full, detailed description of the proposed financing structure for the Project.

Provide sources- and uses- tables for both the construction and permanent periods. The uses/expenditures listed in the proposal should include, but not be limited to, the following line items:

- a. Purchase Price or Ground Lease Cost
- b. Hard Costs
 - i. Construction Cost
 - ii. Construction Contingency
- c. Soft Costs
 - i. Architectural/Engineering
 - ii. Accountant
 - iii. Administrative Expenses
 - iv. Permanent Loan Costs
 - v. Construction Loan Costs
 - vi. Survey and Re-Plat
 - vii. Appraisal
 - viii. Market Study (if applicable)
 - ix. Legal
 - x. Title
 - xi. Consultants (if any)
 - xii. Soft Cost Contingency
 - xiii. Developer Fee
- d. Reserve Set-Up Costs

2. Financial Pro-Forma

Provide a ten-year financial pro-forma, including expected costs, expected income, the Proposer's expected profit or return, and the assumptions used in preparing the pro-forma, including revenue and expenditure percentage increases over time. The pro-forma should include, but not be limited to, the following line items:

- b. Any gross and net residential rental income (showing vacancy assumptions)
- c. Any gross and net commercial rental income (showing vacancy assumptions)
- d. Any other source of income
- e. Administrative expenses (accounting and audit; advertising; legal; property management fee; management salaries and taxes; other administrative costs)
- f. Operating expenses (Gas; Electricity; Water and Sewer; Garbage/Trash; Other)
- g. Maintenance Expenses, including landscaping (Third party maintenance costs, including labor and materials; Maintenance/Janitorial staff salaries and taxes; Maintenance supplies; Repairs; Decorating; Other)
- h. Fixed Expenses (Real Estate Taxes; Insurance; Other)

- i. Reserves (Replacement, Operating, Other)
- j. Debt payments

E. Financial Capacity

1. Letters of Interest

Provide letters of interest from all financial sources listed in the project budget, except for the Parking Funds, if applicable.

The letters of interest should clearly identify the amount and terms of proposed financing. As all proposals are evaluated as a complete package, it is imperative that the Proposer give a complete response to this RFP, not just the sale or ground lease price for the site.

2. Proposer Financial Risk

Identify the financial risks associated with the Project that the Proposer expects to take, including Proposer's contribution to the pre-development costs and/or personal equity in the project. The City expects the Proposer to take some personal financial risk in the development of the Project.

3. Other Financial Obligations

Identify any current or pending financial obligations of the Proposer that may impact the Proposer's ability to complete the proposed redevelopment in a timely manner. Identify other projects that the Proposer is contemplating and/or working on. Then, provide an analysis of the impact of other financial obligations and projects on the completion of the proposed redevelopment of the Subject Site.

4. Financing References

Provide two reference letters from financial and lending institutions that have provided financial assistance to the Proposer or team members, or who have participated financially in any of the Proposer's or team member's projects, during the last five years. Proposer may also provide other pertinent documentation or evidence of financial capacity and ability to provide guarantees required during the development process.

5. Financial Statements

****The following information shall be submitted separately and marked confidential: ****

The selected Proposer must have the financial capacity to successfully complete and operate the proposed Project. Each Proposer must submit an accountant reviewed or audited financial statement (including balance sheet, income statement, cash-flow statement, and accompanying notes prepared according to generally accepted accounting principles) for the most recent fiscal year for the developer and all partners owning 10% or more share of the development entity. If the Proposer or a partner/member/share holder is an individual rather than an entity, that individual may submit a statement of financial capability from the individual's bank and a personal financial statement in the format seen in Exhibit T, rather than an accountant reviewed or audited financial statement.

In the event of a Request for Public Records, the City will notify the Proposer first in order to allow them to determine if they deem it necessary to file a request for legal injunction. In any event, every effort will be made by the MRA to maintain the confidentiality of the above information, however; if a

Request for Public Records is received, and no injunction prohibiting the release of the information is ordered, the MRA must comply.

F. City Assistance

1. Provide the following information on the Proposer's planned redevelopment:
 - Describe how the proposed redevelopment is compatible with the City's plans to benefit the Subject Site as described in Part II.A.4 of the RFP. Describe the feasibility of the proposed redevelopment if the City does not obtain TIGER grant funding or other funding for the proposed improvements described in Part II.A.4.
 - State if the Proposer plans to utilize the Parking Funding and if the Proposer will comply with the City's requirements for the funding listed in Part II.A.2. Additionally, state how the Proposer expects to structure payment of the Parking Funding from the City to the Proposer (i.e. – utilize a loan or grant structure).
 - State the number of evening and weekend off-site parking spaces the Proposer anticipates needing pursuant to Part II.A.3. If the City is not able to provide all requested spaces, describe the Proposer's back-up plan and the impact of a lack of spaces on the feasibility of the proposed redevelopment.
 - State if the Proposer will ask the City to fund public art on, or near, the Subject Site. If the Proposer is interested in City-funded public art, describe the Proposer's needs and limitations for the content and placement of the art.

G. Project Details

1. Time Frame

Provide a proposed schedule of development performance in a Gantt Chart format, including project benchmarks such as obtaining all entitlements for the intended use, approvals of design, submittal, review, filing and receipt of building permits, commencement of construction/rehabilitation work, and completion of construction. Please also address any proposed phasing involved with this project and related schedule or business operation impacts.

***Note: A schedule based on this submission will be incorporated into the Development Agreement and will be tied to claw back provisions. However, the City recognizes that the actual start date (and subsequent benchmark dates) may change based on when the Development Agreement is executed.**

2. Compatibility with Adopted Plans

Describe how the proposed redevelopment is compatible with the City's adopted plans, including the Comprehensive Plan, the Downtown 2025 Sector and Metropolitan Redevelopment Plan, and the Zoning Code. If a variance or a zone change is required, the Proposer should describe: 1) how the request is more advantageous to the City; 2) the Proposer's outreach and evaluation of the neighborhood's support for the request; and 3) what the results for the proposed redevelopment would be/what other proposal should be considered if the Proposer does not obtain the requested variance or zone change.

3. Property Acquisition

Describe if the Proposer is planning to acquire or has current control of adjacent or nearby property around the Subject Site that the Proposer plans to incorporate into a larger redevelopment. If the Proposer is proposing a larger redevelopment and is unable to acquire the property, describe the impact on the feasibility of the proposed redevelopment.

4. Other Information

Clearly identify the terms of sale or ground lease being offered to the MRA for the property.

Proposer may also submit any other relevant information to this proposal, but must stay within the total page limit as described in Section III.E above. Any extra pages will not be reviewed or may render the proposal to be non-responsive to this RFP.

PART V: Evaluation and Selection

A. Ad Hoc Selection Committee

The ad hoc selection committee will consist of five members.

B. Evaluation Process

Below is the process for determining the most qualified and compatible developer.

1. The Ad Hoc Selection Committee will review all proposals against the Evaluation Criteria listed on the Proposal Evaluation Criteria Matrix, page 20 (also Exhibit U).
2. Interviews by the Ad Hoc Selection Committee of the top Proposers may follow after the initial review. The City may request supplemental information during the selection process.
3. A recommendation will be made to the ADC. The top Proposers may be requested to make a presentation to the ADC.
4. The ADC will make the final selection, and negotiation of the Development Agreement will follow.

The City reserves the right to reject any or all offers and to waive informalities and minor irregularities in offers received. Nothing in this RFP implies a contractual obligation with any firm, nor will the City reimburse costs for submittal requirements.

Per the MR Code, Section 3-60A-12 (C), if no proposals are accepted by the ADC, the MRA will try to negotiate an agreement with any of the Proposers who had submitted a proposal, or reserve the right to negotiate terms with any other non-submitter.

C. Evaluation and Scoring

The City will evaluate all responsive RFPs and measure each Proposer's response against the selection criteria set forth in Exhibit U in this document, resulting in a numerical score for each proposal. There are a total of 300 points available in the categories listed. All properly submitted Proposals are subject to these evaluation criteria.

D. Protest Procedures

Within 15 days after the ADC's final selection, any Proposer not selected may appeal the decision to the City Council.

PART VI: Submission of Proposal

Proposals may be submitted at any time during normal City business hours until this RFP is closed. Proposals must be delivered to the City Clerk's office, 7th floor of the Plaza del Sol building located at 600 2nd Street NW, Albuquerque, New Mexico, 87102. No telephone, email or facsimile proposals will be considered. **Any late submissions will not be accepted.**

Proposals must be submitted in a sealed envelope and the following information should be noted on the outside of the envelope:

Name of Proposer: _____
Attention: Rebecca Velarde, Metropolitan Redevelopment Agency
Title of Proposal: **1ST and CENTRAL SITE REDEVELOPMENT PROPOSAL**

EXHIBIT U - PROPOSAL EVALUATION CRITERIA MATRIX

Criteria	Maximum Points	Points Received
<p>1. Consistency with the City’s Project Goals as Outlined in Part 1.B</p> <ul style="list-style-type: none"> • Proposal provides a premier entertainment hub that provides a mix of uses, ensures a high-quality and well-managed redevelopment, provides special events and services that draw Albuquerque residents and visitors to the downtown core, and meets the City’s requirement that the site’s liquor licenses will be under the same ownership. • Evaluation of whether the Proposal will add vitality and catalyze further redevelopment in the area. • Overall quality of design of the urban development. • Past performance of individuals or project team on similar projects. 	<p>50</p> <p>30</p> <p>30</p> <p>30</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>2. Benefit to the Surrounding Community</p> <ul style="list-style-type: none"> • Proposed benefit to the community, as compared to the City’s investment in the project. (Removal of blight, creation of jobs, promotion of economic development, creation of housing, etc.) 	<p>20</p>	<p>_____</p>
<p>3. Financial Structure</p> <ul style="list-style-type: none"> • Evaluation of project budget, including (but not limited to) construction, soft costs, developer fee, initial reserve amounts, and financial feasibility. • Evaluation of operating pro-forma, including income expenses, reserve contributions, debt payments, etc. 	<p>25</p> <p>25</p>	<p>_____</p> <p>_____</p>
<p>4. Financial Capacity</p> <ul style="list-style-type: none"> • Provided adequate information showing evidence of interest from all proposed financial sources for the Proposer’s redevelopment, except Parking Funds. • Proposer demonstrates adequate financial risk in the Project. • Proposer demonstrates adequate financial capacity to develop the proposed Project (evaluated through information provided in Other Financial Obligations, Financing References, and Financial Statements) 	<p>10</p> <p>20</p> <p>20</p>	<p>_____</p> <p>_____</p> <p>_____</p>
<p>5. City Assistance</p> <ul style="list-style-type: none"> • Proposer accepts the conditions related to obtaining the requested City assistance. Further, the proposed project is feasible if the City does not implement the improvements in Part II.A.4 or is unable to identify the full amount of evening and weekend off-site parking spaces requested by the Proposer. 	<p>15</p>	<p>_____</p>
<p>6. Project Details</p> <ul style="list-style-type: none"> • Evaluation of the achievability of the Proposer’s time schedule and the Proposer’s ability to complete the project satisfactorily in a timely manner. • Compatibility with City’s adopted plans, goals and objectives for the area. * If variances are required, they should be readily achievable. If not, points will be reduced. • Feasibility of proposed adjacent or nearby property acquisition (Proposer will receive full points if: 1) No acquisition is proposed; or 2) Project is feasible without proposed acquisition) 	<p>10</p> <p>10</p> <p>5</p>	<p>_____</p> <p>_____</p> <p>_____</p>
TOTAL POINTS	300	_____

Completeness of the proposal will be evaluated within all of the above criteria.