



# **CITY OF ROCHESTER**

## **REQUEST FOR PROPOSALS**

### **Former Subway Tunnel**

### **Rochester, New York**

**ISSUED: June 29, 2018**

**ISSUED BY:**

City of Rochester  
Division of Real Estate  
City Hall, Room 125B  
30 Church Street  
Rochester, New York 14614

**SUBMISSION  
DEADLINE:**

4:00 p.m., Friday, September 7, 2018

**INFORMATIONAL  
MEETING:**

Wednesday, July 11, 2018 @ 2:00 pm  
Rochester City Hall – City Council Chambers

**GROUP INSPECTION:** Tuesday, July 17, 2018 @ 2:00 pm

**CONTACT:**

Paul J. Scuderi  
Director of Real Estate  
Phone: (585) 428-7527  
Email: Paul.Scuderi@cityofrochester.gov

Kamal Crues, P.E.  
City Engineer  
Phone: (585) 428-6828  
Email: Kamal.Crues@cityofrochester.gov

**PROPOSAL  
SUBMISSION  
INSTRUCTION:**

A complete electronic copy (on flash drive) of the proposal and ten (10) hard copies of the proposal are to be submitted by the above deadline to:

Paul J. Scuderi  
City of Rochester  
30 Church Street, Room 125-B  
Rochester, NY 14604

**CITY OF ROCHESTER**  
**REQUEST FOR PROPOSALS**  
**FORMER SUBWAY TUNNEL**

**June 29, 2018**

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## I. PURPOSE

This offering represents a development opportunity in which the City intends to license a portion of the former subway tunnel (the “Site”) to be developed in a manner which addresses the growing public parking needs of the Center City. The development of the Site for use as a public parking facility will benefit adjacent businesses and the emerging residential market.

The Site is approximately 20 feet below the road surface of West Broad Street. The selected developer will need to create multiple access points for ingress/egress of vehicles as well as pedestrian access and must also have a strong understanding of the steps involved, current building code, the Center City Masterplan and the agencies in which coordination will be required.

The City of Rochester is seeking proposals from qualified development teams for the use of the Site. The City’s objective is to implement a parking plan that will:

- Serve as an economic development tool as a public parking amenity
- Increase the availability of parking for the center city area and thus support existing and developing businesses and housing in the area
- Encourage environmentally sensitive development & sustainable construction methods
- Include high quality design in order to enhance the public realm
- Strategically work within the context of the region’s transportation network.

It is the City’s intention to receive development proposals that will lead to the long-term license of the Site to a developer who presents the best plan for this Site as a public parking facility, and demonstrates the best financial capacity to undertake the project. Potential developers should carefully put their proposal together strictly adhering to the Proposal Submission Checklist, noted as **Exhibit A**.

**Note: While the City has identified this location as a resource to help alleviate the growing parking demands and as such, has specified parking as our preferred development, the City will consider alternative developments. Many of the requirements noted in this document are related to a parking development; if a different potential use is proposed, the entity submitting such proposal should tailor their response and submission to their specific development and include items such as, for example: the total square footage of the structure to be built; number of residential and/or commercial spaces to be created; energy efficiency specifications, etc.**

## II. SITE LOCATION, DESCRIPTION AND INSPECTION DATE

The development site is located within the Center City District. The Center City District is bounded on all sides by the current and former footprint of the Inner Loop (see **Figures 1 and 2** which follow).

The Site is comprised of a portion of the former Rochester Industrial and Rapid Transit Railway Subway Tunnel and the original Erie Canal Corridor. The site runs under the West Broad Street right-of-way from West Main Street to Exchange Street as noted in **Exhibit B**. Please note that **Exhibit B** is a depiction of one possible design and does not necessarily reflect the City’s expectation. Any entity submitting is urged to be creative with layout and access/egress portals. The Site is right-of-way and any use and construction must conform to requirements of right-of-way development.

The subway tunnel is available for any interested party to view at will. The easiest access is from the service truck entrance which runs along West Broad Street via a parcel identified as 375 West Broad Street. There is a small parking area on that site however a larger parking lot is available across the street on 97 Industrial Street. The map below highlights the parking lot at 97 Industrial Street (red) and the access parcel at 375 West Broad Street (green). **A group inspection will take place on Tuesday, July 17 from 2:00 pm – 4:00 pm** for any entity interested in submitting a proposal. Please note: the tunnel is sub-surface with a dirt floor. Any person/persons entering the subway tunnel should have proper footwear, attire and flashlights (cell phone flashlights will not provide adequate lighting) – the City cannot provide inspection equipment.



The Site consists of approximately 180,000 square feet with an average ceiling height of 18 - 20 feet. The subject property has concrete and rock sidewalls as well as a combination of overhead steel beams and a flat slab roof. There are multiple internal support columns throughout the site as well as some original stairway access shafts. The interior of the site is in fair condition with localized areas exhibiting evidence of active water leakage. In 2012, The City made substantial structural repairs in an effort to waterproof and stabilize the tunnel roof slab. A full list of the work items that the City has completed is attached as **Exhibit C**.

The License Parcel has easy access to Interstate 490 and several principal arterials. The immediately adjacent blocks are improved primarily with commercial properties and high density residential buildings.

Nearby buildings and developments that have been or are currently under renovation and re-adaptive alteration include:

- The Former Josh Lofton School - Corporate offices for Passero Associates

- 217 W. Main St (SB. Roby Building) - Corporate offices for Howard Hannah Realtors
- 131 W. Broad Street - Rochester Central School District offices
- The Terminal Building - Currently under renovation from office space to residential units.
- The Gannett Building – currently under renovation as mixed use market.
- The Monroe County Crime Laboratory
- 44 Exchange Street
- Blue Cross Arena
- The Academy Building
- Cascade Building
- 42 S Washington St – The Bevier Memorial Building
- Plymouth Terrace

These developments, along with the many other projects in the Center City area have created additional parking demands for the west side of the Center City. The City's hope is this RFP will alleviate these demands and augment our parking inventory in a creative manner. Again, while the City has identified this location as a resource to help alleviate the growing parking demands and as such, has specified parking as our preferred development, the City will consider alternative developments.

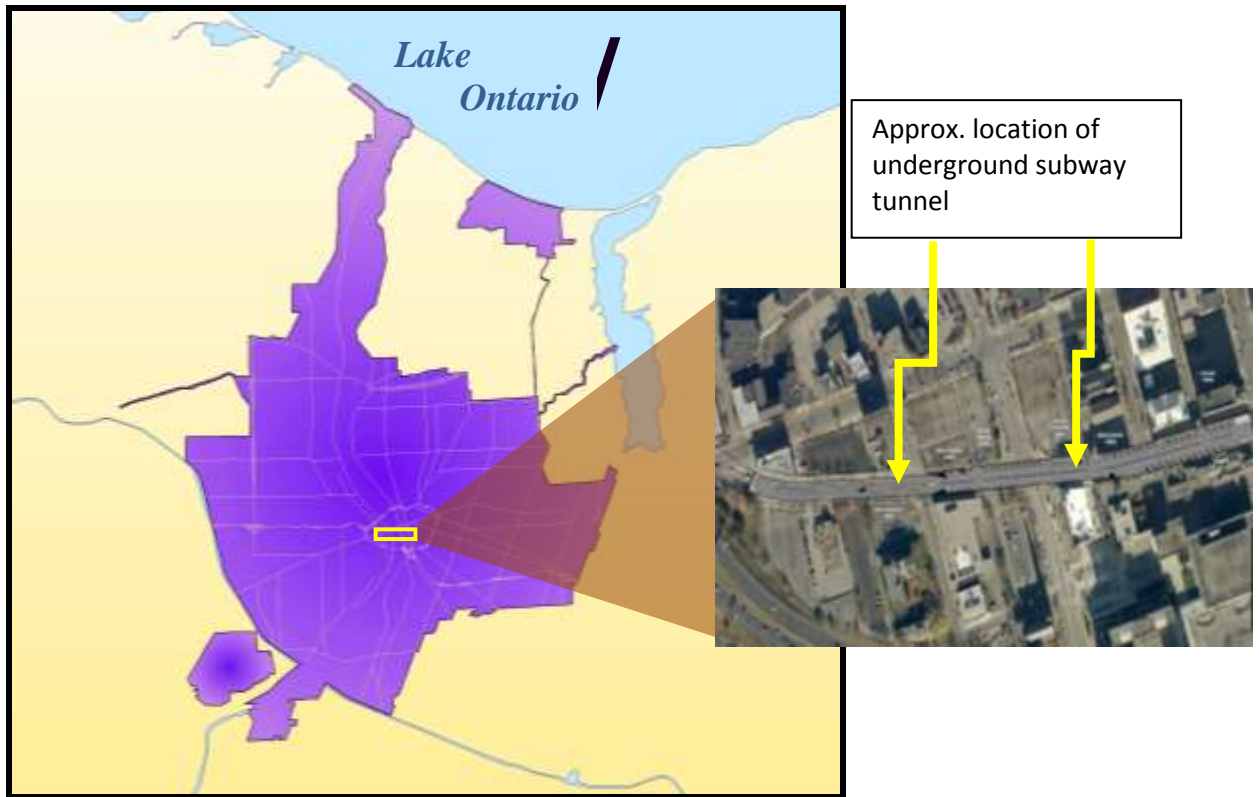
The Site is in the heart of the Center City business district and within easy walking distance of vibrant historic neighborhoods such as Corn Hill, The Cascade District, and The Susan B. Anthony neighborhood. Attractive amenities found near the site include the Genesee River Trail, the 1838 Erie Canal Aqueduct, Genesee Gateway Park and Aqueduct Park. The site lies directly underneath Rochester's Heritage Trail, a 1.5-mile long walking path that leads visitors to 15 points of historical significance. The corridor is populated with historical markers, plaques, and interpretive signs telling some of the stories that make up Rochester's rich history.

The subject site is within the Center City District (CCD-E) zoning district. The property is right-of-way and not subject to the requirements of the zoning code, however several aspects of any potential development will need to be reviewed and shall conform to the zoning requirements. Access and ventilation points will need to be created to support the sub-surface public parking area. Respondents are strongly encouraged to carefully review the NYS Building codes along with the City of Rochester's zoning code.

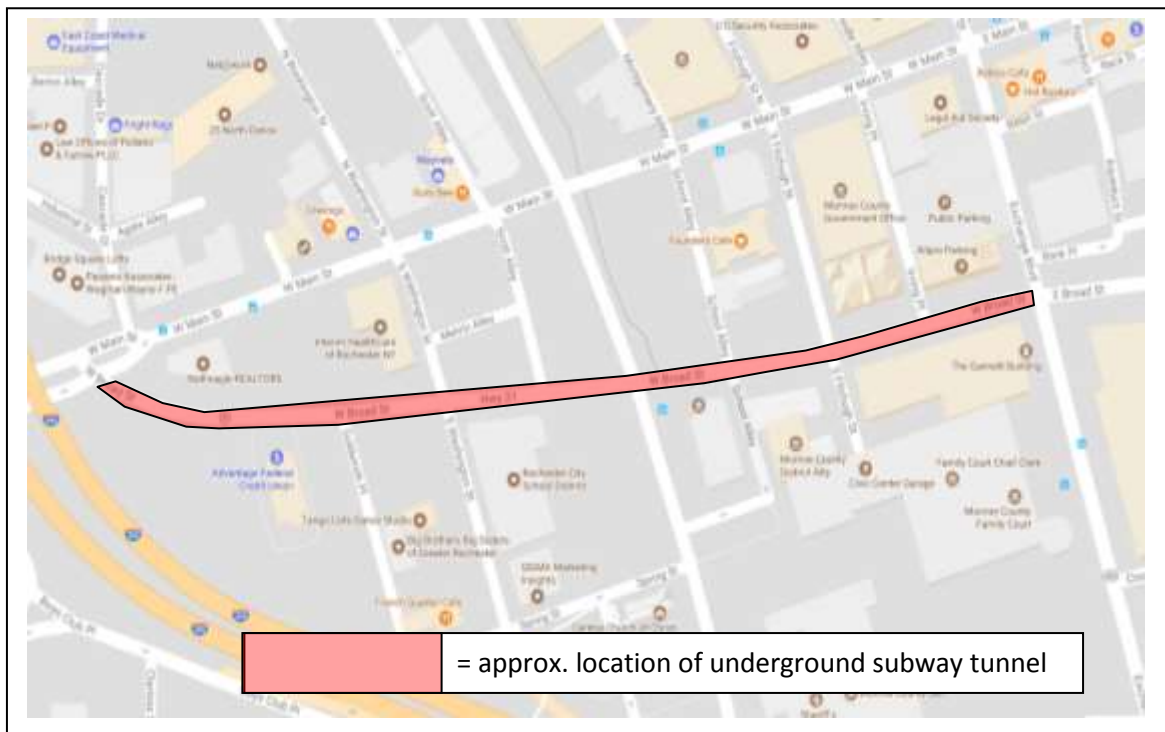
The License Parcel is being offered in "AS IS" condition. Any condition(s) discovered during investigations and/or those discovered following the closing shall be the sole responsibility of the purchaser.

The selected developer shall allow access for the multiple entities which have infrastructure and equipment within the tunnel through access easement(s) and/or permit conditions. The developer will need to design their improvements in such a manner as not to obstruct the existing utility lines and/or equipment and at the same time allowing 24/7 unencumbered maintenance access. The entities currently identified as having service/utility equipment within the subway tunnel include but not limited to the following:

- |                                    |                                       |
|------------------------------------|---------------------------------------|
| • City of Rochester                | • Sprint Corp                         |
| • County of Monroe Water Authority | • Monroe County of Monroe Pure Waters |
| • County of Monroe DOT             | • Rochester Gas & Electric Corp       |
| • Frontier Communications          | • Time Warner Cable                   |
| • Rochester District Heating       | • Verizon Wireless Communications     |



**Figure 1**



**Figure 2**

### **III. LICENSE FEE AND TERM**

The Site will be licensed at market value as determined by an independent appraisal dated March 1, 2017. This report was completed for the property with an appraised value of \$140,000/year.

The City is seeking a long-term agreement of twenty (20) years. The City will consider additional renewal periods.

### **IV. VISION AND CENTER CITY DEVELOPMENT**

The City has been, and continues to work closely with developers, organizations and business leaders in the transformation of the Center City of Rochester. New construction projects such as the Gannett Building, the Terminal Building, Plymouth Terrace and the Rochester Train Station along with renovations to existing buildings for the Hilton Garden Inn Hotel, the Sibley Building, and proposed renovations of the Edwards Building demonstrate active revitalization within Rochester's Center City.

This Site is envisioned as an amenity to lessen the growing public parking demands within the Center City. Respondents are encouraged to view the documents located in the links below related to recent studies and analyses of the Center City area.

Center City Master Plan:

<http://www.cityofrochester.gov/centercity/>

Center City Feasibility Study:

<http://www.cityofrochester.gov/circulator/>

Roc the Riverway

<http://www.cityofrochester.gov/roctheriverway/>

Rochester's Heritage Trail

<http://www.cityofrochester.gov/HeritageTrail/>

Local Waterfront Revitalization Program

<http://www.cityofrochester.gov/article.aspx?id=8589951677>

City's Downtown Parking Garages

<http://www.cityofrochester.gov/article.aspx?id=8589962958>

Broad Street /Erie Canal Master Plan

<http://www.cityofrochester.gov/article.aspx?id=XXXXXXX>

Broad Street Tunnel Project/Erie Canal Master Plan:

<http://www.cityofrochester.gov/article.aspx?id=8589941517>

The City of Rochester, through this Request for Proposal solicitation, seeks proposals for the license and development of the site from qualified developers/teams to creatively develop the

site for the purposes of public parking. The Site that is the subject of this RFP presents a significant opportunity to relieve parking pressure in the heart of Center City.

It is the City's intention to receive development proposals that will lead to the license of the Site to a developer who presents the best use and plan/layout and demonstrates the best financial capacity to undertake the proposed project. The Developer will creatively improve the Site with the necessary improvements, complete all engineering analysis required for the issuance of building and ROW permits, allow all necessary infrastructure to service the proposed use, allow 24/7 unencumbered access to all permitted entities with equipment in the Site and with minimal reliance of City resources.

## **V. ENVIRONMENTAL CONDITIONS**

The Licensee understands and agrees that the Site is being licensed "as is". The City of Rochester makes no warranties, expressed or implied, as to the sub-soil conditions or material aspects of said property. The Licensee agrees that the City of Rochester shall not be liable for damages because of any sub-soil conditions or material aspects nor shall said conditions be grounds for non-performance by the Licensee.

The Licensee hereby agrees to accept the Property in "as is" condition, including the existence of hazardous materials and/or toxic substances on the subject property and the Licensee will conduct, at its own cost, the removal of any such hazardous materials and toxic substances. Licensees agree to hold the City harmless for any costs, claims, damages and injuries resulting from any environmental contamination, including but not limited to petroleum, hazardous materials and toxic substances present on, below or emanating from the subject property.

Upon request, the selected Licensee may enter into a license agreement with the City for site access to perform environmental site assessment/investigation work, based on the selected proposal.

**PLEASE NOTE: The City of Rochester will not provide indemnification for liability associated with past, present or future site environmental and/or geotechnical conditions for property it sells through this RFP process. The property is being licensed "as-is" and the City makes no representations about environmental and/or geotechnical conditions.**

### Zoning

The Site is zoned CCD-B, Center City District - Base.

The City's Zoning Code is available online for public use at:

<http://www.ecode360.com/?custId=RO0104>

The applicable section of the code may be viewed online using the following web address:

<http://www.ecode360.com/8679793>

It is also recommended that the following sections under CHAPTER 120 are reviewed:

- Article XIX. City-Wide Design Guidelines and Standards  
<http://www.ecode360.com/8682522>
- Article XX. Requirements Applying to all Districts  
<http://www.ecode360.com/8682601>



## VI. APPROVALS

Development of the Site may require various approvals from the City of Rochester. These approvals include but are not limited to:

- Site Plan Review
- State Environmental Quality Review
- Certificate of Zoning Compliance (CZC)
- Building Permit(s)
- Right-of-Way Permit(s)
- Rochester City Council (for license of land and potential highway geometrics )
- Traffic Control Board
- Rochester Fire Dept – Fire Code Compliance Review

## VII. SITE CONSIDERATIONS

- A. The City of Rochester will require the selected developer to design multiple points of ingress/egress and to grant any necessary easements to the City of Rochester for continued access to the Site. There currently are only 2 access points to the Site and the locations are not viewed as functional for a subsurface parking lot development; additional vehicular and pedestrian access points must be designed and a coordination between any and all land owners will be needed to accomplish this end.
- B In addition, full truck access (13'6" high x 12 wide) from the 300 block of West Broad Street to the Erie Canal Aqueduct must be maintained at all times. Respondents must indicate in the body of the RFP submission, their willingness to grant said easement(s), retain access to the aqueduct and allow unrestricted access to the Site for all entities with equipment located within the tunnel.

## VIII. PROPOSAL SUBMISSION REQUIREMENTS

The proposals being submitted must demonstrate a well-planned and detailed parking program, support amenities, a high quality and appropriate design concept, financial strength to undertake the project, and expected revenue streams. The minimum items that must be submitted for consideration for the purchase and development of the Site are listed below. **The City reserves the right to reject proposals submitted without the minimum items indicated below.**

### A. TRANSMITTAL LETTER WITH THE FOLLOWING INFORMATION

Developer's Name  
Developer's Street Address  
City, State & ZIP  
Mailing Address (if different from street address)  
Contact Person (Name, Title)  
Telephone Number  
Email Address  
Federal Taxpayer ID No.

## B. SUMMARY OF OVERALL PROPOSAL

1. Narrative and vision statement summarizing the overall proposal, including the need/demand for the proposed parking, key benefits (public and private) of the proposal and project development costs
2. Vision statement describing the general development program, architectural style, materials, etc., and
3. Historic summary of the Erie Canal Corridor in downtown Rochester along with the former subway tunnel history and commitment of the development to include components that memorialize the former subway tunnel use, and
4. Statement as to how/why the proposed development creates an amenity and helps alleviate the parking problem and adds economic stimulus to in the immediate area.

## C. PROJECT DEVELOPMENT PLAN

1. Design Concept Drawings—minimum concept drawings to include:

### a. SITE PLAN

A conceptual Site plan (to scale and legible) showing site design, lighting plan, storm water management plan, parking, ventilation and access portals (vehicular and pedestrian with compliance to ADA standards), street modifications, and tunnel alterations. The Applicant may want to show elevations and sections (to scale and legible). Architectural renderings may be submitted to show clarity and demonstrate intention. The conceptual Site plan should indicate approximate utility locations, street alterations, utility pole relocations, traffic upgrades and proposed landscaping, in sufficient details to indicate general characteristics of construction.

### b. PRELIMINARY TRAFFIC STUDY

Trip generation estimates should be developed using sound engineering judgment. Existing traffic count information may be viewed at [www.dot.ny.gov/tdv](http://www.dot.ny.gov/tdv) and any reference to this data must be specified.

Similarly, if any design includes the acquisition of privately owned lands, the impact to (1) property value, (2) functional utility and (3) economic viability of that parcel including potential job loss, must be presented.

### c. ACCESS PORTALS

The access points are especially important and the proposal must clearly indicate the anticipated vehicular and pedestrian locations of the ingress/egress. The City understands that these access points may impact privately owned parcels and/or existing right-of-ways; the initial proposal should indicate which parcels and/or ROW may be impacted. In addition, if private property is being considered, the applicant should clearly identify those parcels.

If an existing ROW is being considered as an ingress/egress point, the applicant

should provide an estimate of any potential adverse impact to the existing traffic flow.

Access points must address vehicular as well as pedestrian and ventilation access. Regarding vehicle access, the proposal should address the change of elevation from the existing street level to the proposed floor level of the subway tunnel and the appropriate grade change to negotiate this change in grade. The conceptual site plan shall show the traffic flow as vehicles enter the parking facility, pass through and exit onto the right-of-way above grade.

Regarding pedestrian access, the proposal should have elements that show any intended areas for pedestrians to enter/exit the parking area including mechanical devices that may assist pedestrians in the grade change. Any design that relates to ramps, elevators, escalators etc must conform with current ADA standards.

d. APPURTENANCES

Understanding that the creation of elevator shafts, escalator ramps, stairways and walking ramps will likely require the installation of (a) electricity, (b) mechanical rooms and (c) ventilation structures, these components must be clearly identified.

e. FUTURE REPAIRS

The subway tunnel has on-going and active water leakage through the roof slab above. The selected developer will not be responsible to address and resolve any major or long term water leaks, however the applicant shall indicate their willingness to enter into agreement that no claims nor liability will be incurred by the City for failure to undertake action based on these water leaks. The Applicant shall be responsible to handle any minor repairs and maintenance and to address any complaints resulting from these water leaks. Some of the water intrusion may be designed and intentional – developers must not adversely impact the existing storm water drainage. The City will bear no cost in the design or resolution of these issues. The applicant shall further be advised that structural repairs to the supporting columns, beams, roof slabs may need to be accomplished from time to time and that maintenance of these shall be the City responsibility. The Applicant shall provide staging areas in and around the work zones adequate in size to allow work to be undertaken. Provisions required for 24/7 access, noise, vibration, dust, ventilation, etc shall be agreed to by both parties.

f. FIRE CODE

Fire Code standards have specific requirements related to the proper ventilation and fire controls as it relates to the storage of gasoline, fire suppression, sprinkler access point distances etc. These items must be addressed and indicated on the drawings.

g. SECURITY PLAN

A preliminary security plan should be developed with common security concerns identified. Respondents should indicate if they plan on electronic security only, manual security or a combination of both. A full comprehensive plan will be required of the selected developer.

h. UTILITIES

Due to the significant number of utility companies and entities with equipment in the tunnel, the Licensee must allow unencumbered access and use for any maintenance issues. The typical maintenance activities may produce excessive noise, vibration, dust, dirt, debris, equipment staging and potential overhead work. Access may be needed at any point in time, thus the developer shall allow 24/7 access.

2. A project narrative describing:
  - Key development components with an explanation of relevance for each component.
  - How the project responds to the parking problem in the downtown area.
  - Any unique and/or highlighted features and how these features will be beneficial.
3. Development program including square footage, layout of parking, number of spaces, access and exit controls, etc.
4. Project schedule including:
  - Closing on property sale
  - Design
  - Anticipated zoning and permit approvals
  - Funding commitments based on the proposed funding sources
  - Construction start/completion

#### D. PROJECT COSTS/FUNDING & CAPITAL POSITION

1. Provide cost estimates detailing annual license cost, hard costs and soft costs. Include all assumptions.
2. Use the attached standardized Sources and Uses Form (Exhibit D) to summarize the sources of funds (including bank participation, owner equity, and any other sources that may be pursued) for both construction and permanent finance, and uses of the funds. The proposed financing arrangements must be verified by a letter from the financial source/institution indicating that the project has been reviewed and the source/institution is willing to favorably consider a loan application to finance the project.
3. List the expected terms for the project financing by source, including loan amounts, interest rates, term length, and any special loan covenants/requirements.
5. 10-year project pro-forma including all capital costs, operating expenses, income and revenues. The Applicant shall discuss in detail expected revenues generated by each parking space and include discussion on demand based parking rates, public versus private parking rates and overall approach to public parking restrictions (if any).
6. Historical (Previous 3 years) financial statements for the developer.
7. Personal financial statements including a global real estate cash flow for the individuals that will own 20% or more of the project.

E. SUSTAINABLE AND ENVIRONMENTALLY SENSITIVE CONSTRUCTION METHODS & MATERIALS:

The City of Rochester is committed to encourage efforts to increase and enhance building methods that promote sustainability, increase energy efficiency and reduce adverse impacts on the environment. Therefore, preferences will be given to proposal designs that incorporate sustainable and environmentally sensitive construction methods and materials.

Proposal submissions should indicate how the project will utilize green building methods to address the aspects of development listed below:

**Integrated Design:** An integrated design process incorporates sustainability up-front, uses a holistic and total-systems approach to the development process, and promotes good health and livability through the building's life cycle.

Examples include utilizing a developer, an architect, an engineer, a landscape architect and a contractor who are all experienced with green building. The team must be committed to environmentally responsive, resource conserving and healthy construction principles and practices.

**Site, Location and Neighborhood Fabric:** The Site provides unique opportunities to create a parking amenity of an otherwise unused city asset, while helping restore, invigorate and promote sustainable development in the Center City area. The most significant impact would be to provide nearby developments a parking option in a weather-proof location.

**Site Improvements:** Sustainable design and site planning integrate design and construction strategies to: minimize environmental site impacts; enhance human health; reduce construction costs; maximize energy, water, and natural resource conservation; improve operational efficiencies, and promote environmentally sensitive transportation.

**Water Conservation:** Water efficiency conserves finite fresh water resources and reduces utility bills. Examples include specifying and installing water-efficient appliances and plumbing fixtures, implementing low-water landscape and irrigation strategies, and taking advantage of rainwater catchment.

**Energy Efficiency:** Energy efficiency helps to minimize costs and provide reasonable comfort and health, and reduces utility bills. Examples include the installation of high efficiency mechanical, ventilation and electrical systems.

**Materials Beneficial to the Environment:** Reducing, reusing and recycling building materials conserve natural resources and reduce emissions associated with manufacturing and transporting raw materials. Examples include the use of recycled building materials and recycling and reuse of construction debris.

**Healthy Living Environment:** Creating a healthy environment involves the use of materials that do not cause negative health impacts for user of this amenity or workers, especially for more sensitive groups such as children, seniors and individuals with existing respiratory problems and compromised immune systems. Examples include limiting the use of hazardous materials on the job site and reducing the use of volatile organic compounds (VOC) paints and primers.

The criteria above were inspired by the work of Enterprise Community Partners through the Green Communities Initiative. Additional information on this initiative is available at [www.greencommunitiesonline.org](http://www.greencommunitiesonline.org). This RFP does not establish green community standards for the development. However, the proposals will be evaluated according to the extent that the projects will address the above criteria. This will be included as a consideration during proposal review.

**F. ISSUES AND CONCERNS**

Proposals should identify any issues or concerns in relation to the project.

**G. PROJECT DEVELOPMENT TEAM AND EXPERIENCE**

1. Provide an organization chart for the development of the project, including the Developer, project manager, architects/engineers and marketing personnel.
2. Provide resumes of the principal participants involved in the project.
3. Proposals should include a summary of the experience of the project team, similar projects that the development team has been involved with and how that experience will be useful in undertaking the proposed project.
4. Provide a list of all current projects and development commitments for the next 24 months.

**IX. Enterprise and Workforce Goals**

1. During the construction of the project, the developer will be expected to meet the City's utilization goals for Minority and Women-owned Enterprises of 20% of the total dollar amount of contracts; and;
2. There will also be required workforce hiring goals of 20% minority and 6.9% women, of the total employment numbers or employment hours for the project.

**X. PROPOSAL SUBMISSION**

No less than 10 complete copies of the proposal shall be submitted by the Submission Deadline, 4:00 p.m., Friday, September 7, 2018, to:

Paul J. Scuderi, Director of Real Estate  
Department of Neighborhood & Business Development  
City Hall, Room 125B  
30 Church Street  
Rochester, New York 14614

**XI. EVALUATION PROCESS**

The criteria listed below will be used to evaluate the proposals.

**A. PROJECT FINANCING**

- Certainty of project funding/financing (i.e., Commitment of funds already in place)
- Level of developer cash equity into project
- Projected revenue generated by parking
- Economic feasibility of the proposal

**Please note: Preference will be given to proposals showing:**

- **The highest economic benefit to the City and public; and**
- **No public subsidy necessary to complete the project**

#### **B. EXPERIENCE**

- Developer's experience and success with similar projects

**Please note: Preference may be given to RFP respondents with real estate development knowledge, experience in the local urban market, and operational knowledge and experience with public parking garages.**

#### **C. QUALITY OF THE DEVELOPMENT PLAN**

- Strength of design and key features of the proposal
- Mitigation of impacts and creative alteration of the existing street network
- Depth of knowledge related to design/build of public parking garage
- Marketing plan
- Use of sustainable and/or environmentally sensitive construction methods and materials

#### **D. UNDERSTANDING OF THE PROJECT**

- Understanding of the parking problem downtown
- Statement of how this project contributes to alleviating the parking problem
- Consistency with the recommendations of the Center City and Broad Street Master Plan
- Depth and knowledge of Broad Street Tunnel Corridor
- Identification of relevant issues

#### **E. PROJECT SCHEDULE**

- The Developer's ability to complete the project within a timely manner

Upon initial review of the submitted proposals, the evaluation team may choose to request interviews of respondents. All RFP respondents will be notified if and when an interview schedule is established. The City reserves the right to reject any and all submissions. All submissions must have a completed Proposal Submission Checklist included with their proposal (**Exhibit A**).

If a proposal is selected by the evaluation team, a recommendation will be submitted to City Council for final selection authorization.

## **XII. RESTRICTION ON COMMUNICATION**

News releases pertaining to this RFP or the services to which it is related will not be issued by an offeror/bidder/proposer or the selected offeror/bidder/proposer without the prior written approval of the City. In the event an offeror/bidder/proposer issues a news release pertaining to

this RFP or the purposes to which it relates without the prior written approval of the City, the offeror/bidder/proposer may be excluded from consideration.

### **XIII. RFP COORDINATOR: ISSUING OFFICE**

The Project Manager for this RFP, Paul Scuderi, will serve as the coordinator and point person of contact during the proposal evaluation process. All correspondences, questions, submissions, etc., related to this RFP should be addressed to:

Paul J. Scuderi, Director of Real Estate  
Department of Neighborhood & Business Development  
City Hall, Room 125B  
30 Church Street  
Rochester, New York 14614  
Telephone: 585-428-7527  
Fax: 585-428-6137  
Email: [paul.scuderi@cityofrochester.gov](mailto:paul.scuderi@cityofrochester.gov)

### **XIV. RIGHTS RESERVED**

Only proposals that comply with all the objectives, provisions and requirements of this RFP will be considered for review. All determinations of completeness of any submission and compliance with the objectives, provisions and requirements of this RFP, and the eligibility or qualification of any respondent shall be at the sole and absolute discretion of the City of Rochester. All materials submitted in response to this RFP become property of the City of Rochester, without obligation of the City to return such materials. The City reserves the right to request additional information from any or all RFP respondents, if necessary, to clarify that which is contained in the proposals.

Should it become necessary to revise any part of this RFP, provide additional information necessary to adequately interpret provisions and requirements of this RFP, or respond to written inquiries concerning the RFP, the City reserves the right to issue an Addendum to the RFP to all respondents who received the initial RFP. The City reserves the right to extend the Submission Deadline by a reasonable time.

The City reserves the right at its sole discretion to accept or reject any and all proposals received as a result of this RFP, to waive minor irregularities, to withdraw from the sale of the property, to elect not to proceed with the process set forth in this RFP, and to conduct discussions with all responsible respondents, in any manner necessary, to serve the best interest of the City of Rochester. No brokerage fees, finder's fees, commissions or other compensation will be payable by the City of Rochester in connection with selection of a developer.

The City further reserves the right to not proceed with the selected developer if all City requirements are not satisfied. Merely being selected through the RFP process does not obligate the City to execute any agreement related to this development.

### **XV. CITY EXPECTATIONS FOLLOWING SELECTION**

Following selection by the City, the proposer will be expected to conform with the criteria noted above in Section VII as well as:



1. **Provide a Final Site Plan and Construction Drawings** - A Site plan (to scale and legible) showing site design, lighting plan, storm water management plan, parking, ventilation and access portals (vehicular and pedestrian with compliance to ADA standards), street modifications, and tunnel alterations. The Applicant shall show elevations and sections (to scale and legible). Architectural renderings must be submitted in sufficient detail to show clarity and demonstrate intention. The Site plan shall indicate utility locations, street alterations, utility pole relocations, traffic upgrades, proposed landscaping, and architectural treatments in sufficient details to indicate general characteristics of construction
2. **Traffic Impact Study** - A traffic impact study will be necessary and shall include information based on trip generation, portal locations, road geometry etc. The Applicant shall develop a corridor wide traffic model of the feasible corridor concepts using SYNCHRO. A SYNCHRO model is available for existing traffic conditions. Said traffic model should provide sufficient information to mitigate fatal flaws and identify potential conflicts within mobility and transportation networks.

Following the traffic impact study, a "Level of Service" analysis should be provided based on discussions with the agencies involved in the traffic impact study and shall also include pedestrian and bicycle data.

The applicant is advised that the Preliminary Traffic Study discussed in Section VII will need to be modified and re-submitted during the final design phase in preparation of permit approvals to verify final layout, and any changes that may have occurred between the initial RFP submittal and final contract drawings. Any significant changes in location, LOS, traffic volumes, geometrics, etc, may warrant alterations to the final plans and may be cause for permits not to be issued.

3. **ACCESS PORTALS** - The access points are especially important and the proposal must clearly indicate the vehicular and pedestrian locations of the ingress/egress. The City understands that these access points may impact privately owned parcels and/or existing right-of-ways; the proposal must indicate which parcels and/or ROW may be impacted. In addition, if private property is being considered, the applicant must demonstrate that the current owners have been contacted and are willing to discuss/negotiate the conveyance.

If an existing ROW is being considered as an ingress/egress point, the applicant must provide and specify any adverse impact to the existing traffic flow.

Access points must address vehicular as well as pedestrian and ventilation access. Regarding vehicle access, the proposal shall consider the change of elevation from the existing street level to the proposed floor level of the subway tunnel and the appropriate grade change to negotiate this change in grade. Appropriate slope must be considered and designed in order to provide a manageable grade change to allow for the safe passage of vehicles during winter months when accumulations of snow and ice may contribute to hazardous road surface conditions. The site plan shall show the traffic flow as vehicles enter the parking facility, pass through and exit onto the right-of-way above grade.

Regarding pedestrian access, the proposal shall have elements that show the intended areas for pedestrians to enter/exit the parking area. In addition, there must be an

emphasis on pedestrian safety with dedicated stairways and/ramps as well as mechanical devices to assist pedestrians in the grade change. Any design that relates to ramps, elevators, escalators etc must conform with current ADA standards.

4. **MECHANIC DESIGNS** - The development will include mechanical devices such as escalators, elevators, lighting, mechanical ventilation, fire suppression systems etc. A full set of mechanical drawings shall be completed and submitted indicating the precise locations, shut-offs, meters, chases etc.
5. **SECURITY PLAN** - A comprehensive security plan must be provided in which a security assessment shall identify common security risks and a plan to address and mitigate any concerns. The plan should address if there will be personnel and/or electronic monitoring of parking garage areas. In addition, the plan should detail the expected response in the event of a security threat. The security plan shall address the collection, accounting and security of daily revenue.
6. **FUTURE REPAIRS** - The subway tunnel has on-going and active water leakage through the roof slab above. The selected developer will not be responsible to address and resolve any major or long term water leaks, however the applicant shall enter into agreement that no claims nor liability will be incurred by the City for failure to undertake action based on these water leaks. The Applicant shall be responsible to handle any minor repairs and maintenance and to address any complaints resulting from these water leaks. Some of the water intrusion may be designed and intentional – developers must not adversely impact the existing storm water drainage. The City will bear no cost in the design or resolution of these issues. The applicant is further advised that structural repairs to the supporting columns, beams, roof slabs may need to be accomplished from time to time and that maintenance of these shall be the City responsibility. The Applicant shall provide staging areas in and around the work zones adequate in size to allow work to be undertaken. Provisions required for 24/7 access, noise, vibration, dust, ventilation, etc shall be agreed to by both parties.
7. **FIRE CODE**- Fire Code standards have specific requirements related to the proper ventilation and fire controls as it relates to enclosed/underground parking facilities. These items must be addressed and indicated on the drawings.

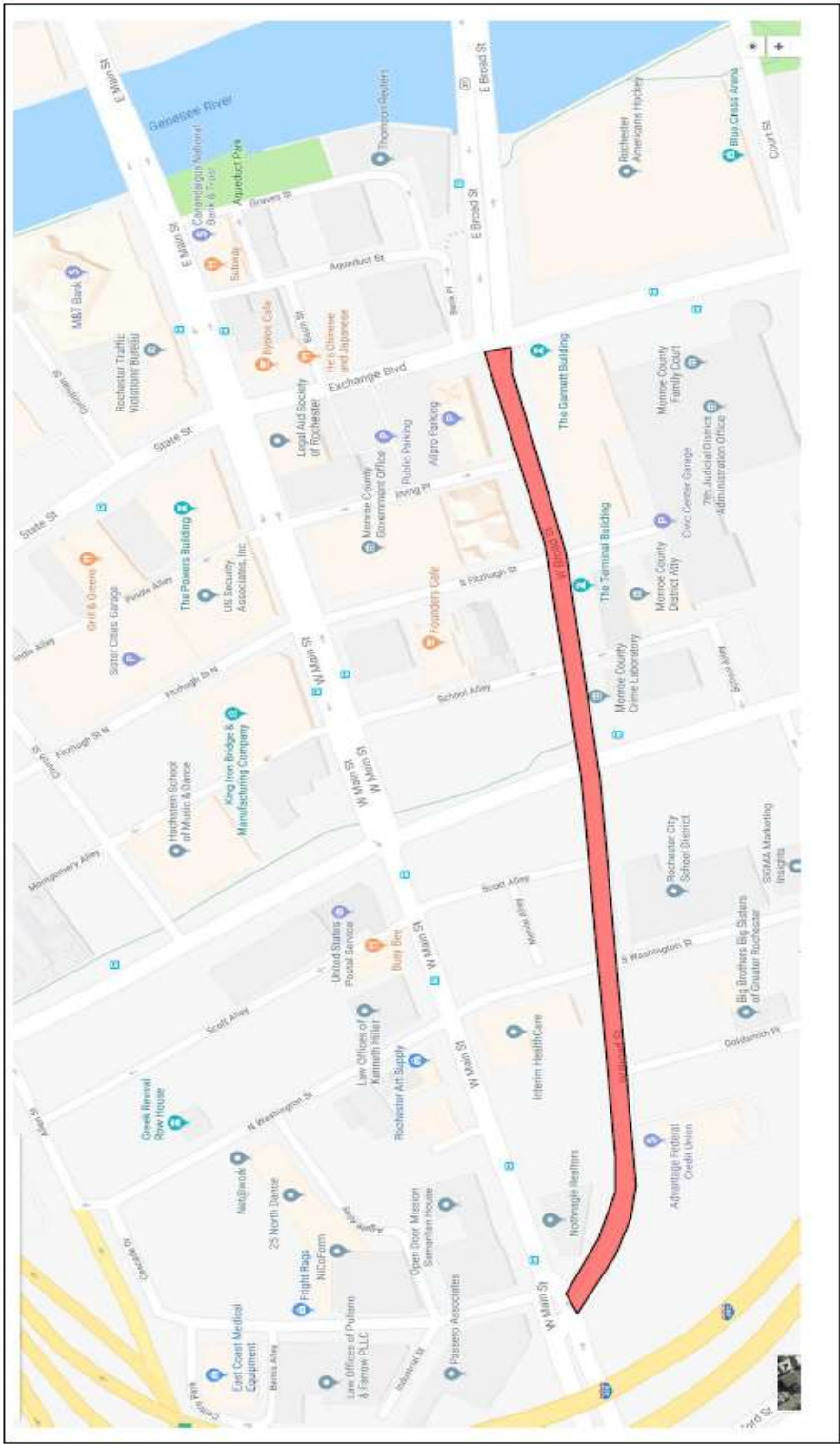
**END OF RFP**

**(EXHIBITS posted separately)**

# EXHIBIT A

Developer Name: _____				
I am submitting for _____				
<b>The following items, A to D-7, must be provided separately for each Site check marked above:</b>			<b>Yes</b>	<b>N/A</b>
A.	Transmittal letter with all 8 items listed in section VIII (A)- of RFP (No exceptions)			
B.	Summary to include Narrative summarizing overall proposal; Vision; and Justification for highest and best use			
C-1	Project Development Plan – Design Concept/Rendered Drawings and Elevations			
C-2	Project Development Plan – Project Narrative			
C-3	Project Development Plan – Access and Parking Demand			
C-4	Project Development Plan – Project Schedule			
D-1	Project Costs and Funding – Cost Estimates including all assumptions			
D-2	Project Costs and Funding – Standardized Sources & Uses Form for construction & permanent phases			
D-3	Project Costs and Funding – Expected terms for all sources for financing			
D-4	Project Costs and Funding – Letter from financial source/institution			
D-5	Project Costs and Funding – Sources of other subsidies sought			
D-7	Project Costs and Funding – Ten-year Proforma (minimum)			
<b>The following items, E-1 to I, below need only be provided once for the entire proposal:</b>				
E-1	Development Team – Listing and organization chart showing development team members			
E-2	Development Team – Resumes of principal participants			
E-3	Development Team – Summary of experience of development team; Description of similar projects			
F-1	Developer Experience – List current projects & commitments for next 24 months			
F-2	Developer Experience – History of all projects within last five years			
G.	Marketing Plan			
H.	Issues and Concerns			
I.	Enterprise and Workforce Goals Plan			

# EXHIBIT B



Indicates area of former Subway Tunnel



City Project	Project Description	Project Cost	Date Complete
114 -71	Repair to Western Approach Tunnel	\$ 81,977	1972
CE 103- 74	Reconstruction of Broad Street Tunnel Western Approach (Contract 1)	\$ 3,759,558	1977
112	Reconstruction of Broad Street Tunnel	\$ 5,057,826	1980
112-1	Broad Street Landscaping Improvements	\$ 26,610	1982
80738	Maintenance Repairs Western Approach Tunnel	\$ 64,370	1983
80844	Maintenance Repairs	\$ 55,975	1984
80929	Broad Street Tunnel Expansion Joint Repairs	\$ 28,775	1985
N/A	Broad Street Tunnel Exp. Joint Repairs	\$ 30,000	1989
91027	Bridge Railing Replacement	\$ 30,000	1993
065270	Red Flag Repair in Tunnel	\$ 11,875	1998
079560	3 Red Flag Repair in Tunnel	\$38,379	2000
091940	Repair to fencing Sidewalk Repairs	\$ 6,730	2003
099230	10 Red Flag Repairs in Tunnel	80,975	2005
104430	Red Flag Repair in Tunnel	\$ 10,181	2006
107510	18 Red Flag Repairs in Tunnel	\$ 451,129	2007
092036	Major Rehabilitation of Tunnel	\$19,119,697	2010
123352	Red Flag Repair- Tunnel Span 97	\$32,779	2012
126571	Red Flag Repair- Tunnel Span 110	\$51,632	2014
127944	Scupper Repairs in the Tunnel	\$3,563	2015
GRAND TOTAL OVER LAST 30 YEAR PERIOD		\$ 28,942,031	
ANNUALIZED COST OVER 46 YEAR (@ 3%)		\$ 564,723	

# EXHIBIT D

## Standardized Sources and Uses USE OF FUNDS

Project Name: \_\_\_\_\_

USE	ESTIMATED COST	NOTES
Property Acquisition		
Professional Fees (Arch., Legal, Eng., etc)		
Site Work/Mobilization/Staging		
Construction Costs		
FF&E/Finishes		
Financing Fees/Carrying Costs/Closing		
Contingency		
Other:		
Other:		
Other:		
<b><u>TOTAL</u></b>		