

Port of Rochester



Request for Qualifications

Rochester Port Marina Redevelopment

Phase I Mixed Used Development

City of Rochester, New York

Mayor Thomas Richards

Request for Qualifications

ISSUED FOR: Port of Rochester, Rochester, New York

ISSUED BY: City of Rochester
City Hall, Room 005A
30 Church Street
Rochester, NY 14614

**SUBMISSION
DEADLINE:** September 30, 2013 – 5 p.m.

CONTACT: Bret Garwood, Director of Business & Housing Development

PHONE: 585-428-6150

FAX: 585-428-6287

EMAIL: Garwoodb@cityofrochester.gov

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I. PURPOSE

The City of Rochester is prepared to award development rights for selected city-owned properties in the Port of Rochester, New York.

With \$20 million in new public investment envisioned for the Port of Rochester, unprecedented opportunities exist for waterfront development by the private sector. The City of Rochester is moving forward with implementation of the port redevelopment plan which includes street reconstruction, creation of new streets, pedestrian amenities, construction of a riverfront promenade, and the construction of Phase I of a marina. The private investment will include a mixed-use residential/commercial development to be built in phases. A total of 430 residential units are planned in all phases with a third of that total planned in Phase I. Hotel uses are also permissible within the form-based code approved for the site. ***The residential component must be a “for sale” condominium type product.*** The City will provide a priority access to some of the marina slips to be linked to some of the condominiums (up to 20 slips for Phase I).

The enhanced development of the port area is a high priority for the City of Rochester. The development is being guided by nearly two decades of planning as reflected in the City’s Local Waterfront Revitalization Program (LWRP). The plan includes recommendations to transform our extensive and unique waterfront resources, historic and cultural assets into a regional tourism destination that maximizes economic, environmental and recreational benefits for the entire community. It is the City of Rochester’s desire to develop the Port of Rochester as a significant Great Lakes regional destination by achieving the following goals:

- Maximizing housing and tourism-related opportunities in the port area
- Increasing the number of enhanced quality waterfront amenities (i.e., marina and public-accessible waterfront)
- Providing world-class accommodations, as well as entertainment and dining venues
- Developing an efficient and effective infrastructure system that supports waterfront-related activity and increases public access
- Maintaining a port area that supports the highest quality of life standards for new residents, visitors, as well as the local community

The City of Rochester recognizes that various initiatives are currently either underway or being planned for the Port of Rochester that will in some way influence the future development opportunities in the area. In response to these development initiatives and consistent with the above-mentioned goals, the City’s Environmental Services Department is seeking a qualified Developer to undertake the private development of a portion of the Port property.

II. PROJECT OVERVIEW

A. LOCATION

Port of Rochester

The Port of Rochester is located in the Charlotte neighborhood of the City of Rochester where the Genesee River empties into Lake Ontario. The Charlotte neighborhood is bordered on the west by the Town of Greece and on the east by the Genesee River and the Town of

Irondequoit. Figures 1 through 4 show the location of the Port property within the Rochester harbor area.



Figure 1, Project Location Map



Figure 2, View Looking North of Project Site from Charlotte Lighthouse Showing Lake Ontario in Background



Figure 3, View looking West from Genesee River



Figure 4, Regional Map Showing Area Features & Amenities

B. PORT OF ROCHESTER: AN EVOLUTION OF IDENTITY

The Rochester region has always understood that significant historic, recreational and economic resources exist where the Genesee River meets Lake Ontario. It is the goal of the City to make the Port of Rochester a unique destination that will attract local residents and visitors from the northeast United States and Canada. The port area is a much different place than it was 100 years ago when it was known as the “Coney Island of Western New York.” During that time, “Charlotte” beach attracted visitors from all over western New York and as far away as Detroit, New York City, Boston, Chicago and St. Louis. Today, Charlotte is mainly enjoyed by local residents.

III. PRIVATE DEVELOPMENT OPPORTUNITY

A. Project Area and Phasing

The Rochester Port and Ontario Beach Park consist of a total of approximately 60 acres which is adjacent to the Genesee River and Lake Ontario. This property is a prime waterfront property which is unique, not only to Rochester, but to the surrounding regional lakefronts and harbors. Phase I for the private investment area contains approximately 2.8 acres as shown on Figure 5 below:

The following is a detailed image showing Parcel 1. Parcel 1 will contain two separate parcels to allow development in stages. Stage 1 includes Parcel 1 North and Stage 2 includes Parcel 1 South. The sales agreement for Parcel 1 North will include a 5-year purchase option for Parcel 1 South. At the time of closing, the purchaser shall provide a 10% non-refundable down-payment for consideration of the option to purchase Parcel 1 South. Should the purchaser exercise the option during the term, the down-payment shall be applied to the purchase price. The purchaser shall have the right to utilize Parcel 1 South for construction staging and a temporary parking use during the term. Once successful performance of Parcel 1 North has been completed, then it is the City’s intention to execute the purchase option for Parcel 1 South to the same developer as a continuation of the Parcel 1 development. Future phases for Parcels 2 and 3 and marina expansion plans are not a consideration of this RFQ.

Future private development phases for Parcels 2 and 3 and the marina expansion plans are not a consideration of this RFQ.



Figure 5a (above), Phase I Development Property Showing Parcel 1 North and 1 South

Figure 5b (below), Current Conditions





Figure 6, Marina/Site Master Plan Showing Planned Development Sites (Parcels 1, 2 & 3)
Note: Parcels 2 & 3 are future development sites and not part of this RFQ.



Figure 7, Phase I Marina and Parcel 1

The following is a general description of the overall development that follows unit size and mix and densities which could work for the project. They are based on City's marina development consultant's experience in marina/waterfront development throughout the Great Lakes. This information is presented as an example of what "could" work on the property. In the example development of Parcel 1 North, the consultant further divided the parcel in half for a scenario showing two buildings. The Developer is to conduct their own market/feasibility studies to determine the Developer's selected final plan:

Example Illustration of Potential Development permitted under the Marina District Zoning Code:

Parcel 1 North

8-Story Condominium Building – 60' x 105' Base Footprint

	Approx. <u># of Units</u>	<u>Approx. S. F.</u>	<u>General Description of Concept</u>
Building 1			
Floors 1 & 2	8	750	1-2 Bedrooms
	6	1000	2 Bedrooms
Floors 3-6	16	1500	2 Bedrooms & Office
Floor 7	3	2000	3-Bedroom Luxury
Floor 8	2	3000	Penthouses
Total	35±		
Townhomes	4	1800	2-3 Bedrooms
Restaurant	1	4000+	
Building 2			
	11	1800	3-Story Townhome (or Retail)
	2	2000	Retail/1 st Floor (Corners)
	2	2000	Office
	52	1500 Aver Size	Condominium (Mixed Sizes Ranging from 1 Bedroom to 3-Bedroom Luxury Penthouse Units)

40± Structured Parking Spaces to be built in Lower Level of 8-Story Building and Portion of Townhomes

Option Parcel I South

3-Story Plinth Structures per Marina District code

	Approx. <u># of Units</u>	<u>Approx. S. F.</u>	<u>General Description of Concept</u>
Parcel 1 South	67±		Mixed-Use Residential and Commercial
Total Parcel 1	110±		Residential Units

Notes: 1) Hotel may be included in any site in the Parcel I Development Area
2) Appropriate structured parking spaces for building occupants to be built in lower levels of midrise structures

FUTURE PARCEL 2 (not part of this RFQ)

FUTURE PARCEL 3 (not part of this RFQ)

ALL PARCELS 300-434 Residential Units (including Hotel), plus Commercial

B. Permits, Approvals and Entitlements Completed to Date

In 2013 the City of Rochester received required permits and approvals from the U.S. Army Corps of Engineers (USACOE) and New York State Department of Environmental Conservation (NYS DEC) to construct the new Port of Rochester public marina. The City previously completed the State Environmental Quality Review (SEQR) process, including the preparation of an Environmental Impact Statement, for the public marina and mixed use development project. SEQR Findings were adopted by City Council on May 23, 2012. The \$19.8 million public marina construction project is fully funded with nearly a third of the costs funded with approved state and federal grants. Preliminary utility relocation work necessary to construct the marina basin is underway.

The City Zoning Code was amended in 2013 to include a new Marina District code. Within this RFQ are a number of conceptual massing diagrams which identify potential phasing and building configurations that are possible for the site under the Zoning Code. The Marina District code is Appendix 1 to this RFP.

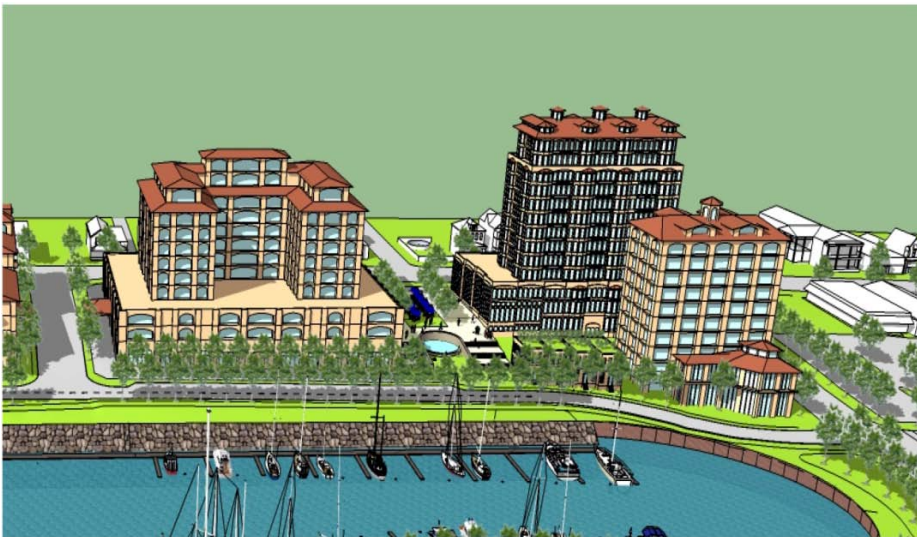


Figure 8, Showing Perspective of Parcel Phases 1 Northeast, 1 North and 1 South

The Marina District zoning utilizes a form-based code rather than a conventional zoning code. Form-based codes foster predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. Form-based codes address the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks. The regulations and standards in form-based codes, presented in both diagrams and

words, are keyed to a regulating plan that designates the appropriate form and scale (and therefore, character) of development rather than only distinctions in land-use types.

It is intended that the Marina District will become a compact, walkable, mixed-use district that will function as the symbolic town center for the Charlotte community. It is intended that the Marina District be a memorable and distinctive place for residents and visitors alike. In the Marina District, the primary emphasis is placed upon the physical form of buildings, civic spaces and place making. While land uses are regulated, they are a secondary focus within this district. The regulations encourage a pedestrian-oriented and human-scaled right-of-way, public realm and streetscape and promote safe pedestrian movements, access and circulation.

Within the Marina District, Parcel I is composed of two subparts, Parcel I-N and Parcel I-S, generally separated by a pedestrian access easement or “Civic Square” which is defined generally by the extension of the centerline of Hincer Street. This easement shall be incorporated into the site design of Parcel I to provide visitors with both physical and visual access to the new Marina and Port development from Lake Avenue (see Appendix 1). It is required to function as an active outdoor “mall” with amenities such as landscaping, hardscaping, benches, etc.

Section 120-77.2D of the City Zoning Code provides standards governing the required Civic Square on Parcel I. According to this section of the Zoning Code, the square will be the principal pedestrian connection between Lake Avenue and River Street and the marina. It will be an active pedestrian center and a major focal point within the Marina District. In order to facilitate pedestrian activity, most of the square will have paved surfaces. The use of pervious paving materials to allow oxygen for tree roots and to absorb storm water runoff is encouraged.

The proposal shall describe the proposed sequencing of the construction of the required Civic Square, its function and contribution to the site, and how it may be incorporated into the proposed development plan.

Receipt of final City permits and approvals will be the responsibility of the Developer.

Construction of any new building or addition within the Marina District that fully complies with the requirements of the Zoning Code will be approved administratively. Construction of any new building or addition that does not comply with the requirements shall be subjected to the review requirements for a Major Site Plan. The Director of Planning and Zoning may waive the requirements of the Marina District through the site plan approval process upon a determination that a project is in substantial compliance with the overall intent and purpose of the Marina District, except for the circumstances listed in §120-77.2G.(1) of the Zoning Code. In those cases, an area variance would be required from the Zoning Board.

Any development proposal that will cause the total number of dwelling units in the Marina District (Parcels 1, 2 and 3) to exceed 430 and/or cause the total amount of commercial space

in the district, not including existing commercial space in the Terminal Building, to exceed 44,000 square feet shall require a supplemental environmental impact statement pursuant to the requirements of the SEQRA and Chapter 48 of the City Code.

C. City Responsibilities

With respect to the proposed private development in Parcel 1, the City will be responsible for providing or completing the following land development items:

1. Site Utilities

The City will make available to the site electric, natural gas, telecommunications, public water, storm water and sanitary sewer services. The public water service is expected to be provided with a regulated water pressures in the Port of Rochester area in the range of 80 to 90 psi. The City's engineering plans that identify site utilities that will be available to the site are provided in Appendix 2. With the exception of natural gas, all utilities are either currently provided to the Site or will be relocated to the Site as part of the City's public marina construction project. The City and RG&E are currently negotiating an agreement for a separate project to construct a new 8" natural gas main to serve the Port development and Charlotte. It is currently anticipated that the new natural gas main will be installed and operational in late summer of 2015.

2. Reporting on Existing Conditions

The City will make available to the Developer for its consideration the reports and documents regarding the environmental and subsurface conditions of the Site.

Existing Site Information and Environmental Reports (Appendix 3a-e):

- a. Phase 1 Environmental Site Assessment, LaBella Associates,
- b. Predevelopment Subsurface Conditions Analysis Investigation Report. Location Development Area# 1, Port of Rochester, 4700 Lake Avenue, Rochester, New York, March LaBella Associates, 2009.
- c. Marina Engineering Report and Feasibility Study, City of Rochester, New York, Abonmarche, Edgewater Group, and Passero Associates, March 2009
- d. Draft Environmental Impact Statement for the City of Rochester Proposed Action: City of Rochester Port Public Marina and Mixed Use Development Project, October, 7, 2011.
- e. Final Site Specific/Generic Environmental Impact Statement FEIS, Proposed Action: City of Rochester Port Public Marina and Mixed Use Development Project, March 2, 2012.

While the City is providing the listed reports for the use by the Developer and its agents the City will make no representation or warranty regarding any aspect of any report or other document regarding the Site delivered to the Developer relating to the physical or environmental condition of the Site, including but not limited to the Environmental Reports. The City will not make any representation or warranty as to the accuracy or completeness of any such report or document, its preparation, or any information upon which it is based. Any reliance on any report or document or any information contained therein shall be at

Developer's risk. The City advises the Developer to conduct its own investigation to determine the physical and/or environmental condition of the Property.

Subsurface Conditions Summary:

The City of Rochester has performed subsurface investigations of the Site as part of the planning for redevelopment. The investigations are described in a report prepared in 2009 by LaBella Associates for the City (Predevelopment Subsurface Conditions Analysis Investigation (PSCAI) Report. Location Development Area# 1, Port of Rochester, 4700 Lake Avenue, Rochester, New York, March 2009).

Three categories of development considerations are described in the report: Environmental, Geotechnical, and Underground Utilities. Note that the report identifies "lots" A-1, A-2, A-3, and A-4 within Area 1 that in 2009 were thought to represent future development areas. While the subsurface information within these lots remains unchanged (except as noted) the boundaries and nomenclature (A-1 to A-4) are outdated should not be used in your proposal.

Underground utility information presented in the 2009 report will be outdated upon the completion of the construction of the marina basin and relocation of North River Street. Utilities are being relocated due to the marina and in anticipation of private development. The developer will be provided with updated utility service and location information upon completion of this work.

Subsurface environmental conditions are affected by the historical use of a portion of the development Area 1 as a steel mill. Data and information from borings and a geophysical survey of Area 1 are provided. Foundry sand, cinders and slag along with construction and demolition debris (C&D) are present. Proper management and disposal of regulated and C&D will be required.

Subsurface geotechnical conditions were analyzed as part of the 2009 report. Foundation Design prepared a Pre-Development Assessment report that addressed conditions within Parcel 1 which is provided in Appendix 3b. The depth to bedrock across varies but is at least 40 feet across Parcel 1 and would likely not be "encountered at normal construction depths" within Parcel 1. However, subsurface structures from prior uses of the property will be encountered at relatively shallow depths in some locations. Portions of Area 1 were determined to be suitable for spread footing foundations systems while other areas may require a deep foundations system and structural floor slab. Some fills are not suitable to support floors or foundations and as a result will need to be removed.

The Developer is advised to perform additional soil borings and characteristics as Developer deems necessary in order to respond to this proposal and develop the Site.

During the City's construction of the marina and public infrastructure the City and its contractors will use portions of Development Area 1 as for staging of construction equipment, materials, and supplies. Upon completion of the marina and infrastructure the City will turn over control of the site to the selected Developer.

3. Marine Slip Reservation

The City intends to construct the marina and infrastructure related to the Site. The City is scheduled to bid the marina construction project in 2013 with construction beginning in the fall and continuing for approximately 18-20 months. Marina facilities are expected to become operational in 2015 with both transient rental and leased seasonal slips becoming available at that time.

It is intended that the marina will be a public marina. For a period of twenty-five (25) years, the Developer may reserve no less than twenty (20) boat slips, at such locations as the City shall designate, for rental on an annual basis to owners of units at the Development. The Developer may, no later than October 31 for the following season, contract with the City (or the City's Operator of the marina) for the rental of up to twenty (20) boat slips from the City or the City's Operator for the use of owners of units at the Development. The fee for the rental of such boat slips shall be paid, in advance, by the Developer no later than October 31 for the following season. The rental fee for such slips shall be no greater than the rates set by City or the Operator generally for other users.

4. Civic Square Easement

Section 3.B. of this RFQ references a pedestrian access easement for a "Civic Square" which is defined generally by the extension of the centerline of Hinchey Street. The City will retain an easement from the Developer for the Civic Square. Minimum dimension for the easement are discussed in Section 120-77.2D of the City Zoning Code. The Developer will need to incorporate the Civic Square into the site design of Parcel I to provide pedestrians and the public with both physical and visual access to the new Marina and Port development from Lake Avenue

D. Evaluation Process and Responsibilities

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

1. Project Financing

- Ability to secure project funding/financing (i.e., commitment of funds already in place)
- Level of Developer cash equity into project
- Economic feasibility of the proposal
- Experience in securing funding for projects of similar scale and complexity

2. Experience

- Developer's experience and success with similar projects

Please note: Preference may be given to RFQ respondents with real estate development knowledge and experience in the local market in urban waterfront settings.

3. Quality of the Development Plan

- Design and key features of the proposal
- Proposed use(s) for the site and inclusion of affordability component for some units
- Provisions to address new parking demand as a result of the proposed development
- Provisions (if any) to address existing parking demand in addition to new parking demand as a result of the proposed development
- Use of sustainable and/or environmentally sensitive construction methods and materials

- Anticipated community benefits (i.e. neighborhood revitalization/stabilization, job creation, increase in real property tax revenues, etc.)
4. Understanding of the Project
 - Consistency with the vision for the site and redevelopment goals in the City's waterfront plans
 - Identification of relevant issues

5. Project Schedule

The Developer's ability to complete projects within a timely manner

Upon initial review of the submitted proposals, the evaluation team may choose to establish a "short list" for subsequent interviews and requirement to submit more detailed information related to the financial condition of the development company (company financial statements, personal financial statements, global real estate report, etc.). Any additional financial information provided will be confidential and not subject to the Freedom of Information Law. All RFQ respondents will be notified if and when a short list is established. The City reserves the right to accept or reject any and all submissions.

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

E. Restriction on Communication

News releases pertaining to this RFQ or the services to which it is related will not be issued by an offeror/proposer or the selected offeror/proposer without the prior written approval of the City. In the event an offeror/proposer issues a news release pertaining to this RFQ or the purposes to which it relates without the prior written approval of the City, the offeror/proposer may be excluded from consideration.

F. RFQ Coordinator: Issuing Office

The Project Manager for this RFQ, Bret Garwood, Director of Business & Housing Development, will serve as the coordinator and point person of contact during the proposal evaluation process. All correspondences, questions, submissions, etc., related to this RFQ should be addressed to:

Bret Garwood, Director of Business and Housing Development, Department of Neighborhood and Business Development , 30 Church Street Room 005A, Rochester, New York 14614.

G. Rights Reserved

Only proposals that comply with all the objectives, provisions and requirements of this RFQ will be considered for review. All determinations of completeness of any submission and compliance with the objectives, provisions and requirements of this RFQ, 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 RFQ 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 RFQ respondents, if necessary, to clarify that which is contained in the proposals.

Should it become necessary to review any part of this RFQ, provide additional information necessary to adequately interpret provisions and requirements of this RFQ, or respond to written inquiries concerning this RFQ, the City reserves the right to issue an Addendum to the RFQ to all respondents who received the initial RFQ. 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 RFQ, to waive minor irregularities, to withdraw from the sale of the property, to elect not to proceed with the process set forth in this RFQ, 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.

H. RFQ Submission Requirements

The Developer shall submit with the proposal the following general descriptive items:

1. Project Vision

The Developer shall clearly state in both narrative form and graphics as appropriate, a clear understanding of what the Developer wishes to construct for the entire Parcel #1 with an emphasis on development of the first phase of that parcel. This vision statement shall describe the character of the work, exterior materials, etc. Detailed architectural drawings are not necessary in the qualification process; however, images of similar projects the Developer has built and ones that are intended to depict the "curb appeal" of the site upon completion of the initial phases is desirable. The development vision must be consistent with a mixed-use residential/commercial development concept. Hotel uses are also permissible within the form-based code approved for the site. The residential component must be a "for sale" condominium product.

In order gain perspective on the history and context of the local community the City also encourages interested developers to talk with community groups such as the Charlotte Community Association, Team Charlotte, the Harbor Merchants Association, and the Charlotte-Genesee Lighthouse Historical Society.

2. Proof of Financing

The Developer shall identify a detailed history of successful projects that have been completed with an emphasis on similar waterfront projects, if applicable. The Developer shall also identify intended funding sources for the projects, along with term sheets as may be appropriate. Final funding commitments are not required however, if available would be beneficial. The Developer shall also identify an overall timetable for the project, taking it from initial award of development rights through implementation.

3. Purchase Price

a. The total purchase price for Parcel 1 is \$395,000. The purchase price of Parcel 1 North shall be equal to the proportionate area of land square footage to be sold for the first phase of development. (The Summary Appraisal Report is attached as Appendix 4.)

b. Proposed One-Time Marine Slip Reservation Payment

The City requests a one-time payment for the reservation of long-term rights to up to 20 new marina slips located on west side of the basin opposite Parcel 1. If slip reservations are requested as part of your proposal please indicate the proposed payment per slip and the number of slip requested. Long-term slip reservations are optional.

4. Affordability

An affordable housing component should be considered for a portion of the units that will be created. Affordable is defined as any unit made available to households earning less than 120% of the Area Median Family Income. The Developer shall propose how many units should be designated “affordable” and to what level (120%, 80% etc.).

5. Enterprise and Workforce Goals

During the construction of the project, the Developer will be expected to meet the City’s utilization goals for Minority Business Enterprises (MBE), Women Owned Business Enterprises (WBE) and Disadvantaged Business Enterprises (DBE) as follows:

- a. Twenty percent (20%) of total dollar amount of contracts to go to MBE, WBE and DBE.
- b. Workforce hiring goals of 20% minority and 6.9% women, of the total employment hours for the project, will be established.

6. Detailed Submission Requirements/Project Information

The proposals being submitted must demonstrate a well-planned and detailed development program, high-quality and appropriate design concept, and financial strength to undertake the project. The minimum set of items that must be submitted for consideration for the purchase and development of the project is listed below. The City reserves the right to reject any proposal submissions without the minimum items indicated below.

a. Summary of Overall Proposal

- (1) Narrative and vision statement summarizing the overall project, including the need/ demand for the proposed uses, key benefits (public and private) of the proposal and project development costs
- (2) Development team
- (3) Ability to undertake the project
- (4) Marketing plan. Please include a marketing plan that includes, at a minimum, the following items:
 - Identification of target market and projected sales price for units, including affordable units
 - Likely presale requirement of lending institution for owner occupied units
 - Rent/lease marketing plan for commercial/retail uses
 - Promotion schedule/phasing
 - Marketing team

b. Project proposal – Development plan

- (1) Design concept drawings – minimum concept drawings to include:

- Site plan (to scale and legible) showing building elements, landscaping, parking and access (vehicular and pedestrian)
- Elevations (to scale and legible)

Please note: Perspectives, renderings, 3D modeling and electronic presentations are not required; however, they may enhance understanding of the proposal. Digital presentation material on CD may be submitted to supplement the proposal hard copies.

- (2) Development program including square footage by proposed use(s), number and size of unit breakdown for each floor.
- (3) Parking Demand and Supply
 - A preliminary analysis of the parking demand associated with the proposed development and a demonstration that the developer's plan will provide adequate parking on Parcel 1 for both employees and residents of the development.
- (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
 - Occupancy

c. Project Proposal – Funding

- (1) Cost estimates detailing acquisition, construction costs and soft costs. Include all assumptions. Provide a table showing the source of all funds (both construction and permanent sources) to undertake development (including bank participation, owner equity, and any other sources that may be pursued). The proposed financing arrangements should be verified by a letter from the financial source/institution indicating the project has been reviewed and the source/institution is willing to favorably consider a loan application to finance the project.
- (2) Expected terms for the project financing by source, including loan amounts, interest rates, term length and any special loan covenants/requirements
- (3) Include a standardized format for summarizing the sources of funds for construction financing, permanent financing and uses of funds. The standardized format will assist the selection committee in comparing proposal during the evaluation process. (Attached hereto as Appendix 5)

d. Sustainable Development Preference

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 and that employ design, construction and operating elements that minimize greenhouse gas emissions and long-term environmental impacts.

Proposal submissions should clearly 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 upfront, 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 successful green building approaches and techniques. The team must be committed to environmentally responsive, resource conserving and healthy building principles and practices.

Site, Location and Neighborhood Fabric: The site provides unique opportunities to create a more walkable, livable community, while helping restore, invigorate and sustain livable development patterns. Examples include making the site safer and more inviting for walkers and bicyclists and making connections to surrounding trail, pier, park, public marina, riverfront, and beach amenities.

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. Examples include appropriate surface water (run-off) management and use of vegetation to reduce energy use.

Water Conservation: Water efficiency conserves the 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 maximize resident comfort and health, and reduces utility bills. Examples include the installation of high-efficiency mechanical and electrical systems. The City has performed a geothermal pilot study for the Development Parcel 1 (See Appendix 3b).

Materials Beneficial to the Environment: Reducing, reusing and recycling building materials conserves 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 living environment involves the use of materials that do not cause negative health impacts for residents 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 jobsite 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. This RFQ 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.

e. Issues and Concerns

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

f. Project Team

- (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) The 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.

g. State Environmental Quality Review Act Compliance

The development of Parcel I will require a site-specific environmental review to augment the generic review performed by the City that was completed in the *Environmental Impact Statement for the City of Rochester Port Public Marina and Mixed Use Development Project* (Appendix 3e). Proposals shall include a cost estimate for the completion of Part 1 of the City of Rochester Environmental Assessment Form.

7. Port of Rochester Terminal Building

Future Disposition of the Port Terminal Building

In addition to the new marina basin and facility the Port of Rochester project area includes the Port Terminal Building located at 1000 North River Street. The City of Rochester is considering the possible future sale of the Port Terminal Building. The two-story, 54,000 square foot Terminal Building was constructed in 2004 and includes several spaces currently leased for restaurants, common public areas (including restrooms on both floors) associated with the former fast ferry operations, office space and conference rooms, and various customs functions. The City is obligated to retain public waterfront access and control of the terminal dock wall which includes below grade structural features. The City plans to retain control of the former “link” building located south of the main Terminal Building for marina operations offices, marina boater services, and grounds maintenance. The boater services facilities will be separated from the main terminal building from a utility standpoint during the marina construction project. Limited parking for both the Terminal Building and marina will be established on the south side of the building. The 219 space parking lot

north of the Terminal Building will remain under City ownership for use by the general public including patrons of restaurant and retail activities in the Terminal Building.

While the City is not currently offering the Terminal Building with this RFP for Development of Parcel 1, we recognize that the Terminal Building's future disposition would likely affect development on Parcel 1. For example, the future mix of retail and commercial use within the Terminal Building could influence the amount and nature of such uses proposed for Parcel 1.

At this time the City is interested in understanding the following from those electing to submit proposals for development of Parcel 1:

1. If the City were to offer the Terminal Building for sale, would you be interested in acquiring it for development?
2. What assumptions, if any, regarding the future use of the Terminal Building are incorporated into your concept for development of Parcel 1?
3. What types of Terminal Building uses would be supportive or complimentary to your concept for development of Parcel 1?
4. What types of Terminal Building uses would conflict or be detrimental with your development concept for Parcel 1?
5. How important is the use of the Terminal Building for commercial cruise or passenger ships docking to you concept for development of Parcel 1?

Submissions for development of Parcel 1 should include written responses to the above questions. The responses to these questions will be reviewed by the City but not used in actual rating of the proposal responses.

I. Selection Process

The following is the current planned schedule for the selection process. This schedule may change at any time as determined by the City:

- | | |
|---|----------------|
| 1. Overall Project Timetable for Selection | |
| a. Release of RFP | 8/5/13 |
| b. Pre-proposal meeting | 8/26/13 |
| c. RFP submission deadline | 9/30/13 |
| d. City review of proposals | 10/1-10/22/13 |
| e. Notification of developers selected for interviews | 10/25/13 |
| f. Deadline for submission of detailed financial statements | |
| From developers to be interviewed | 11/8/13 |
| g. Interviews | 11/18-11/25/13 |
| h. Notification of selected proposal | 12/13/13 |

- | | |
|---|------------------|
| i. Enter into period of exclusive negotiation (8 months) | 12/20/13-8/15/14 |
| j. Execution of Land Disposition Agreement finalizing all Terms and conditions for sale of property and purchase Option of Parcel 1 south | 8/18/14 |
| k. Project financing commitments from lenders | 9/22/14 |
| l. Completion of regulatory approvals (zoning, environmental Review, etc.) | Oct-Nov '14 |
| m. Rochester City Council consideration (approval) of land sale | Dec '14 |
| n. Real estate closing and transfer of property | Dec '14-Jan '15 |
| o. Commencement of construction | 2015 |

2. Overall Project Schedule

The following is the overall marina and public infrastructure construction schedule for Phase I of the marina that is being constructed by the City:

- | | |
|---|-------------------------|
| a. Published SEQR | May 2012 |
| b. Completed final design | June 2013 |
| c. Bid Advertisement | August 2013 |
| d. Phase I Marina and Infrastructure Construction | Fall 2013 – Spring 2015 |

IV. OFFER TO NEGOTIATE

The Developer selected for consideration under this RFQ will enter into a period of exclusive negotiations with the City of Rochester for up to 8 MONTHS. During the exclusive negotiation period, the Developer will undertake predevelopment activities outlined below.

If the City and the Developer are able to reach an agreement on the development terms (development programs, financing plan, and development schedule), the City will move forward with the public and legal processes to sell Parcel 1 North and Option to Purchase Parcel 1 South. If the City and Developer are unable to reach an agreement, either party may withdraw from the project with no liabilities. The City may open discussion with a second Developer at that time. All developers shall pay for their costs to respond to the RFQ and subsequent submissions of prepared materials, etc.

Developer's Responsibilities:

During the exclusive negotiation period, the Developer will complete predevelopment activities based on the scope of work suggested herein, for both development scenarios. The City, at its discretion, may request additional information from the developer, as it determines necessary to make a selection and further award the developer's rights.

The City may request any additional information as it determines appropriate to select a developer that is in the best interest of the City. All developers are responsible for the cost of preparing all information in response to this RFQ and any additional information as requested by the City.

V. SCHEDULE AND ADDITIONAL INFORMATION

A. Request for Proposal Informational Meeting:

City staff will be available to explain/clarify requirements and respond to questions.

DATE: August 26, 2013

TIME: 2:00 p.m.

PLACE: Port of Rochester Terminal Building, 2nd Floor conference room

B. Proposal Submission:

DUE DATE: 8 copies of the proposal must be received by 5:00 p.m. on September 30, 2013 at the following address:

Department of Neighborhood & Business Development

City Hall, Room 005A

30 Church Street

Rochester, NY 14614

Attn: Bret Garwood, Director of Business & Housing Development