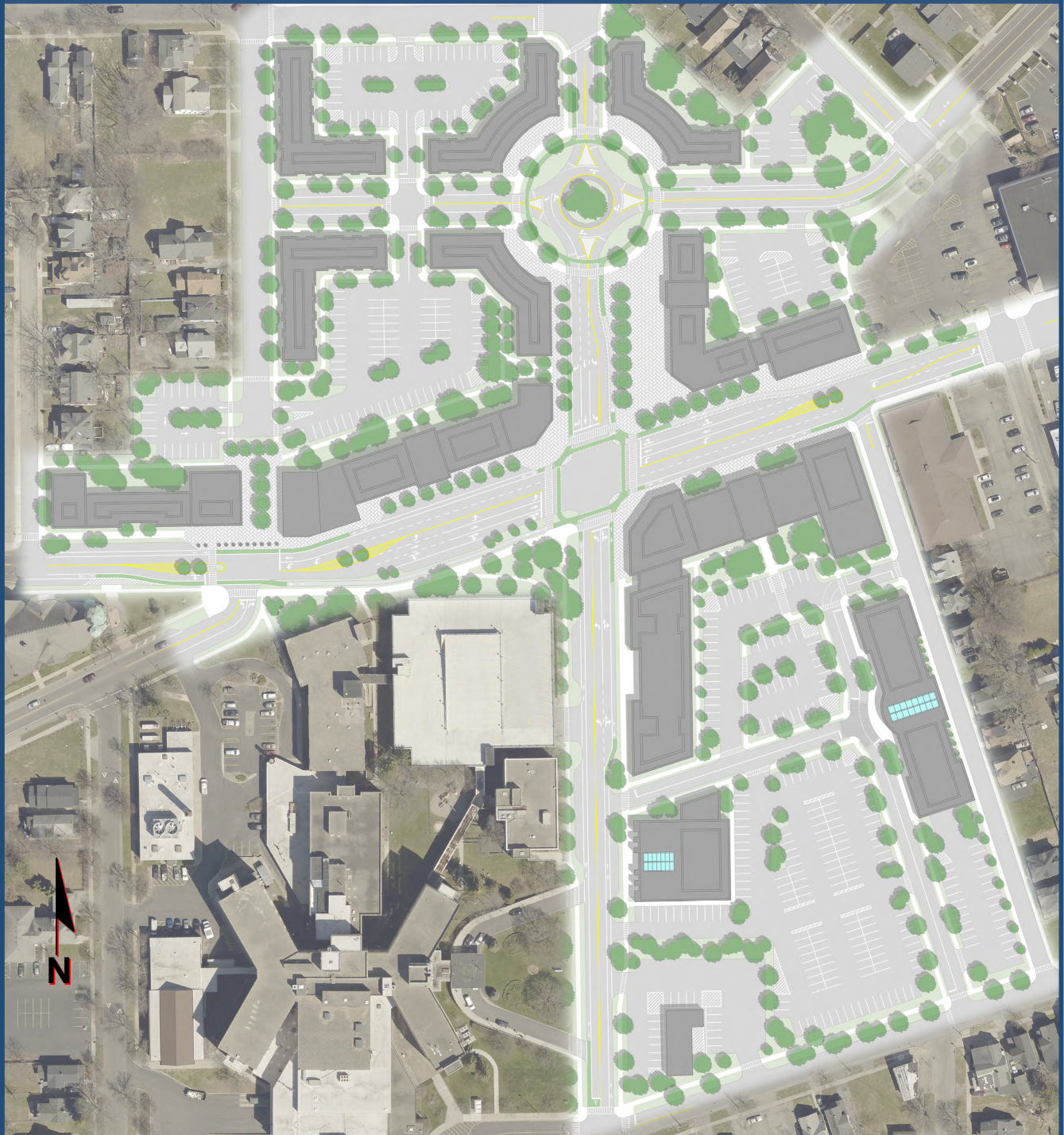


# Request for Qualifications **Bull's Head Redevelopment**

Issued: July 17, 2020



**City of Rochester, New York**  
Mayor Lovely A. Warren

**B**elieve.



City of Rochester, NY  
Lovely A. Warren, Mayor  
Rochester City Council

**CITY OF ROCHESTER**  
**REQUEST FOR QUALIFICATIONS**  
**Bull's Head Redevelopment**  
**Rochester, New York**

**ISSUED: July 17, 2020**

**ISSUED FOR:** Bull's Head Redevelopment

**ISSUED BY:** City of Rochester  
Department of Neighborhood &  
Business Development  
City Hall, Room 005A  
30 Church Street  
Rochester, New York 14614

**SUBMISSION  
DEADLINE:** **4:00 PM, September 28, 2020**

**INFORMATION  
SESSION:** The City will host a developer informational session via a Zoom webinar to discuss the project and answer questions on **August 13, 2020 at 2:00PM.**

Visit: <https://www.cityofrochester.gov/bullsheadrfq2020/> for instructions to sign on and join the developer informational session Zoom webinar.

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**CITY OF ROCHESTER**  
**REQUEST FOR QUALIFICATIONS**  
**BULL’S HEAD REDEVELOPMENT**

**JULY 17, 2020**

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## SECTION I. PURPOSE



The City of Rochester is prepared to enter into exclusive negotiations with a qualified developer for a major multi-faceted redevelopment opportunity in a key historic gateway neighborhood known locally as Bull's Head.

With over \$10 million in public investment for predevelopment and planning activities, the City is making available for redevelopment, an area totaling over 12 acres in the heart of the Bull's Head community. In response to this ongoing public investment and with a majority of these activities completed, the City now seeks to partner with a qualified developer to advance the long awaited revitalization of this important community hub.

Respondents to this Request for Qualifications (RFQ) should assume a master developer role for multiple phases of development within the targeted redevelopment area further described in Section II. of this RFQ. A determination of the developer's ultimate role and responsibilities will be considered during review of the submissions received, and will be established through exclusive negotiations with the selected developer.

The community's highly anticipated revitalization of Bull's Head is a high priority for the City. Development opportunities at Bull's Head are guided by over a decade of community planning as further described in Section II. of this RFQ. Through its partnership with a selected qualified developer, the City intends to advance new development that will:

- Present the highest and best use for the sites as well as the surrounding area;
- Return the sites to the tax roll and increase the City's tax base;
- Support and be consistent with the objectives, strategies, goals, and recommendations set forth in:
  - Rochester 2034, the City of Rochester's Comprehensive Plan: <https://www.cityofrochester.gov/Rochester2034/>
  - The Bull's Head Urban Renewal Plan: <https://www.cityofrochester.gov/BullsHeadRevitalization/>
  - The Bull's Head BOA Revitalization Plan: <https://www.cityofrochester.gov/BullsHeadRevitalization/>
- Present high quality design that complements the surrounding rich historic and architecturally prominent context;
- Visually enhance the adjacent streetscapes;
- Provide uses that relate to and activate the commercial corridors;
- Create permanent job opportunities for city residents; and
- Encourage development in one of the City's Opportunity Zones. Visit <https://www.cityofrochester.gov/opportunityzones/> for more information about the City of Rochester's Opportunity Zone.



## SECTION II. PROJECT OVERVIEW

### A. LOCATION

The targeted redevelopment area consists of 12+ acres located in the heart of the Bull's Head community. As the western gateway to downtown, it is centered on the convergence of five major arterials: West Main Street; Genesee Street; Chili Avenue; West Avenue; and, Brown Street. It is bounded by various residential streets and arterials (see Figure 1 below and **Exhibit A – Bull's Head Location Map**).

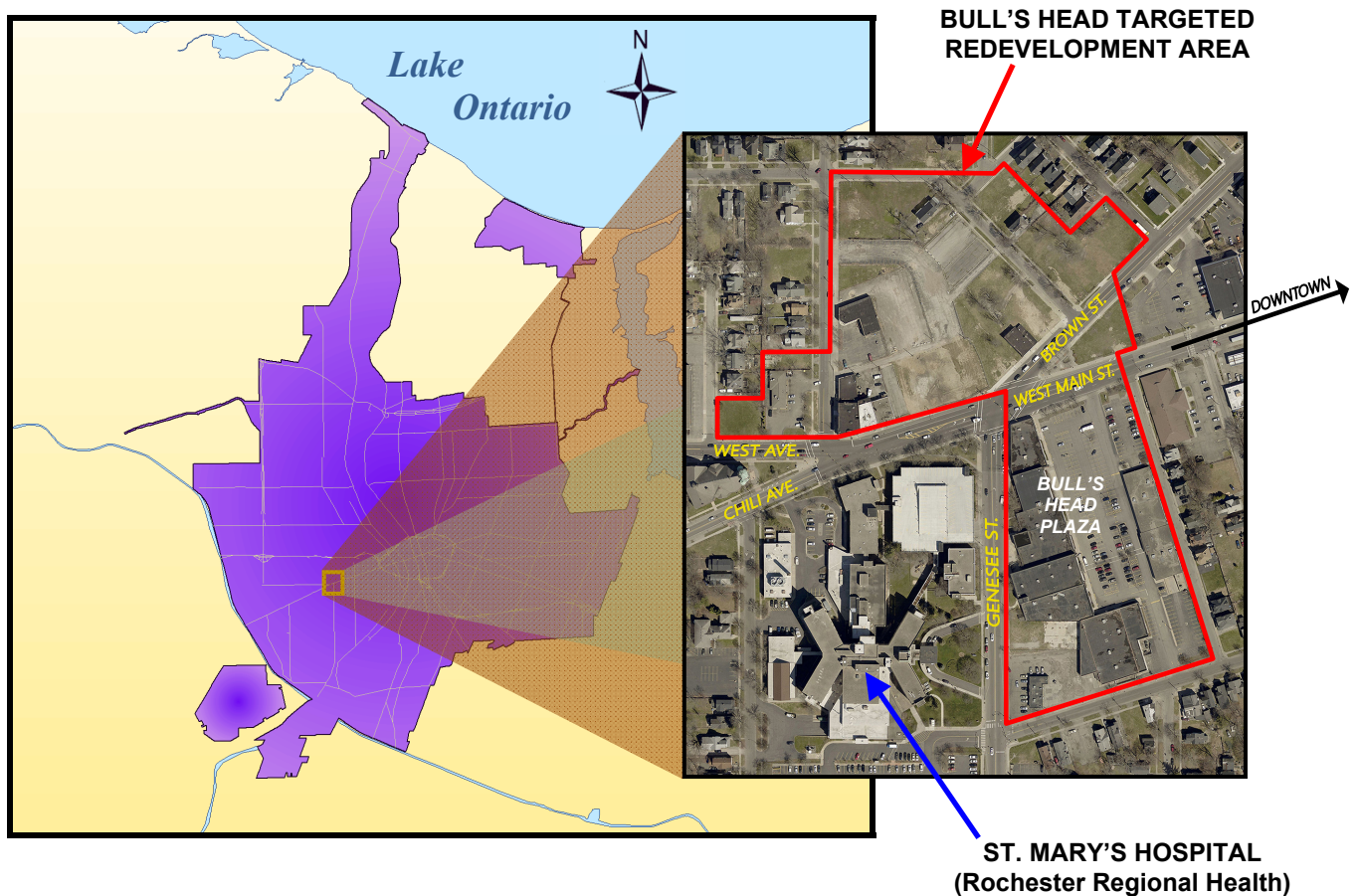
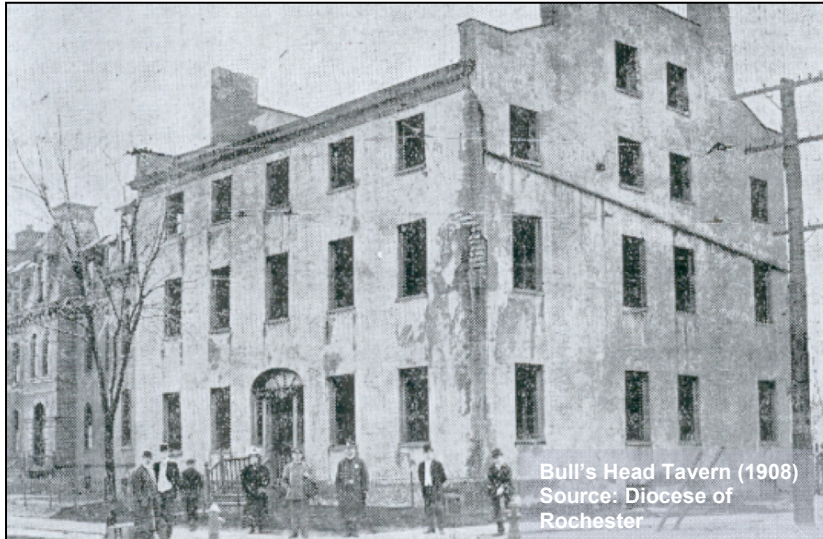


Figure 1

## B. BULL'S HEAD: AN EVOLUTION OF IDENTITY

Historically positioned as Rochester's western gateway, the Bull's Head area was a common resting place for pioneers and cattle drivers as they traversed the region.



Venturing west from the area, the travelers followed the route now known as West Main Street (originally named Buffalo Street). Following the construction of a cattle market and tavern in the early 1800s, known as the Bull's Head Tavern, the building was adorned with a bull's head on the front façade, and became a prominent watering hole for residents and travelers alike.

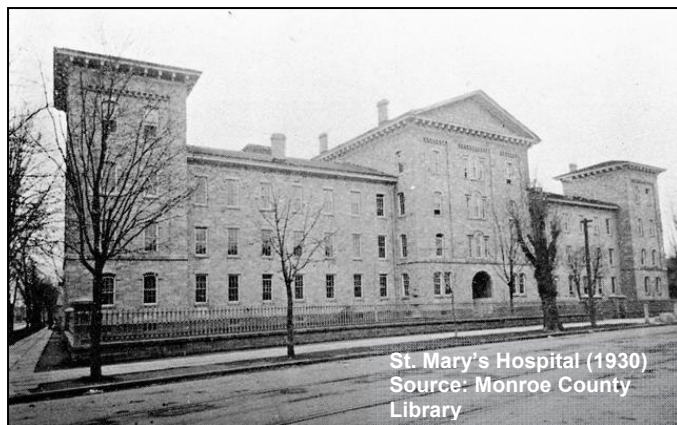
In the early 1900s, the Bull's Head area became one of the more prominent working class neighborhoods in the city coupled with a burgeoning commercial and industrial district. During this time, the affluence of the area was characterized by the ornate architecture of homes and commercial businesses. Historic photos capturing this period often showed bustling street activity along the West Main and Genesee Streets. This area's development was both prompted and served by the streetcar system that ran along West Main and Genesee Streets.



West Avenue United Methodist Church (c. 1899) was constructed at the intersection of West and Chili Avenues which powerfully terminated the vista westerly along West Main Street from downtown. Today, the church remains an important landmark in the area.



St. Mary's Hospital (now Rochester Regional Health) was founded in the neighborhood in 1857 near West Main and Genesee Streets and was the first hospital in Rochester, predominantly tending to wounded Civil War soldiers. Bull's Head Tavern, located at the southeast corner of West Main and Genesee Streets, later became Hallstead Hall, a water cure sanitarium. Hallstead Hall was later replaced by the St. Mary's Boys Orphan Asylum (later referred to as the St. Mary's Boys Home) (1864-1942) and St. Patrick's Orphan Asylum (1845-1942) (later referred to as the St. Patrick's Girls Home).



Many prominent Rochesterians established businesses and homes in the area, including Joseph Field, George and Frank Taylor, Derrick Sibley, Susan B. Anthony, and Calvin Granger, with many of the homes featuring grand designs and large estates. The Strasenburgh Pharmacy stood on the north side of West Main Street at the intersection of Brown Street. The Strasengburgh family's successful pharmaceutical and medical supply business ultimately resulted in philanthropic contributions elsewhere in the city (Strasenburgh Planetarium). A small Wegman's grocery store was also located on West Main Street at the intersection of Brown Street with a larger store later constructed nearby on West Avenue at the current location of the Salvation Army.



Construction of the current St. Mary's Hospital building began in 1941. By 1943, due to the proliferation of the automobile and bus transportation, the streetcar lines that once carried passengers to and from the west end were removed. During this time period, St. Mary's Boys Home and St. Patrick's Girls Home were sold and razed as a newly created foster care system took hold and hundreds of orphaned children were placed in private homes. This property was later redeveloped in 1947 as Bull's Head Plaza, an auto-oriented shopping center serving the immediate neighborhood.



During the 1970s and 1980s, the neighborhood suffered from significant disinvestment, resulting in a declining commercial and industrial base and deteriorating housing stock. However, the area has held onto its rich history and strives to build upon that connection to improve its economic and social vitality. Despite Bull's Head's rich and diverse cultural heritage, the area is currently characterized by blighted conditions, a disproportionately high percentage of vacant and/or underutilized buildings and lots, a significant clustering of City-owned vacant properties, and a significant number of sites with documented and/or suspected environmental concerns. These conditions were the impetus for the area's urban renewal designation as well as having been identified by the City as a high priority for neighborhood revitalization.

## C. BULL'S HEAD REVITALIZATION PLANNING

Revitalization planning for Bull's Head centers on a process of extensive community engagement beginning with neighborhood organization meetings held in 2007 and 2008. The impetus for these meetings was the identified need for addressing blighting



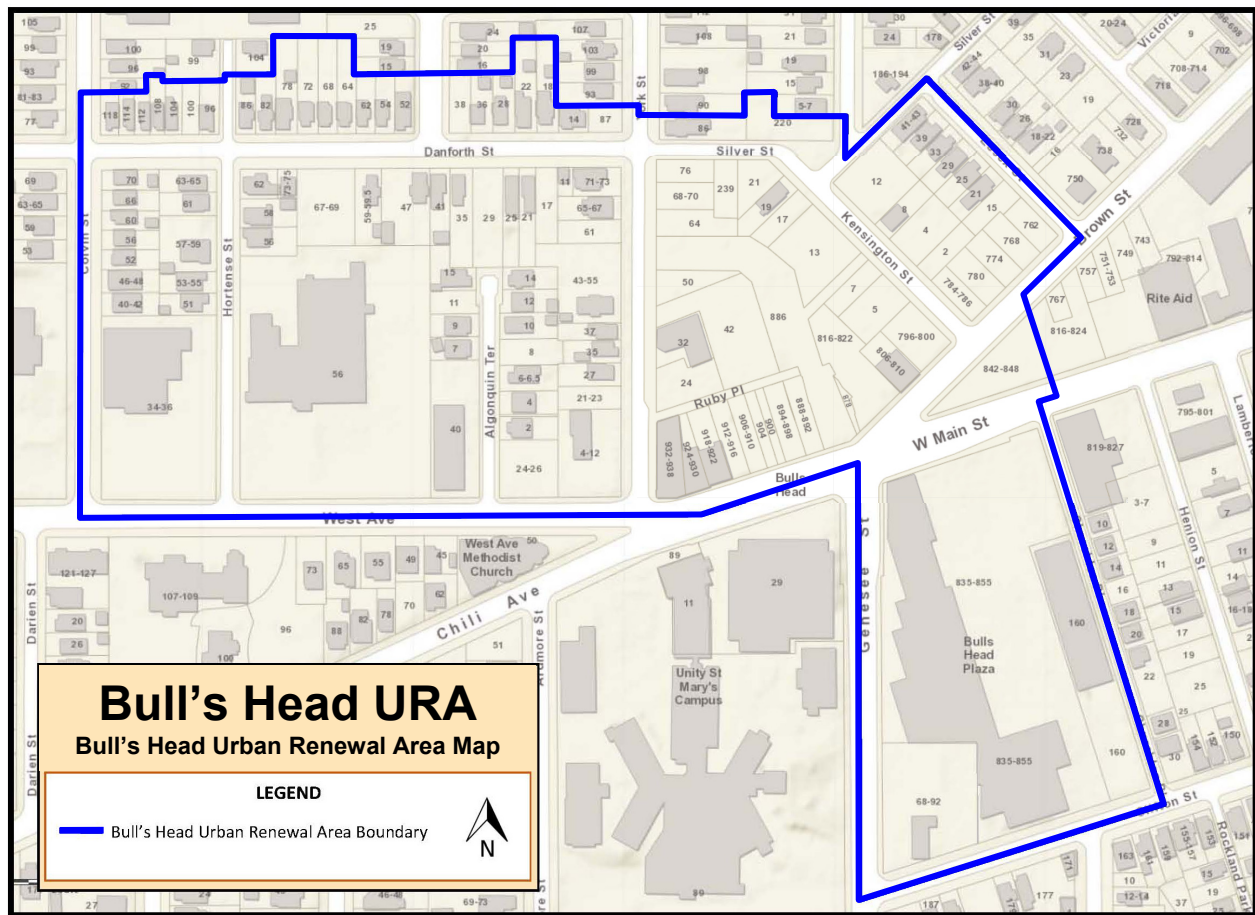
conditions in the Bull's Head neighborhood. Prior iterations of redevelopment in the area never came to fruition, which posed an additional challenge and left the neighborhood with a sense of abandonment. Initial conversations within the community led to a partnership with the City of Rochester and community stakeholders to develop a path forward. In 2009, the City commenced a community input and planning process to identify neighborhood-wide community concerns as well as potential

opportunities to address those concerns. The public planning process was coordinated by the Bull's Head Project Steering Committee, composed of neighborhood representatives and other community stakeholders. As part of this community planning process, the City hosted the Bull's Head Community Design Workshop on September 26, 2009. The design workshop was well attended and effectuated a high level of community engagement/discussion regarding issues and opportunities at Bull's Head. In addition to establishing the foundation upon which further revitalization planning for Bull's Head continued, the workshop identified and prioritized the location to focus on redevelopment efforts.



## Bull's Head Urban Renewal Plan

The early planning efforts for Bull's Head together with the identification of prominent blighted conditions prompted urban renewal designation by Rochester's City Council for an area on the north side of West Main Street, centered on the intersection of West Main Street and Genesee Street, officially named the Bull's Head Urban Renewal Area (BHURA). In subsequent years and as part of the ongoing planning process for Bull's Head, the BHURA was amended to include additional sites both on the north and south sides of West Main Street. The resulting final BHURA is shown in Figure 2 below.



**Figure 2**

With designation of the BHURA, the City embarked on a community-based planning process for the completion of a corresponding urban renewal plan. Accordingly, the first stage of the Bull's Head Urban Renewal Plan (Plan) was completed and then approved by City Council in 2018.

The first stage of the Plan included activities necessary to complete land assembly and environmental due diligence for properties on the eastern portion of the BHURA which had been identified as the targeted land assembly area for redevelopment. The Plan also presented the following Implementation Goals correlated with and supported by the

land assembly actions included in the Plan (see **Exhibit B** – Bull’s Head Urban Renewal Plan):

- To eliminate substandard, underutilized, and deteriorated structures and other blighting influences in the URA, through acquisition and demolition.
- To identify levels of environmental contamination on properties that potentially impact the neighborhood.
- To identify and implement those environmental remedies best suited to reposition contaminated properties for higher and better uses consistent with the protection of public health and the environment.
- To improve security and safety.
- To assemble marketable sites for future redevelopment based on the proposed land use concept in order to promote neighborhood revitalization, create increased economic development and achieve maximum public benefit.
- To seek opportunities that would allow displaced businesses and agencies to relocate within the neighborhood.
- To seek opportunities that would allow for increased quality affordable housing for residents based on existing City goals and the demand demonstrated through housing market analyses.
- To allow for the analysis of future public right-of-way and other public infrastructure improvements to improve pedestrian and vehicular transportation.

Lastly, the Plan presented a land use concept for the targeted land assembly/redevelopment area within the BHURA, based on community input and land use related analyses completed during the Bulls’ Head revitalization planning process. The proposed land use concept generally promotes mixed-use commercial along the arterials with residential, public services, and open space in the off-corridor areas. The proposed land use concept plan also promotes opportunities for upper floor residential with mixed-use commercial space along the arterials. Based on community input during the public planning process, the one land use found not desired to be located within the targeted area is industrial/manufacturing.

Each of the land use areas identified in the proposed land use concept have a unique role within the broader make-up of the Bull’s Head revitalization strategy. These areas are depicted in Figure 3 below and correspond with the following descriptions:

Gateway Corridor:

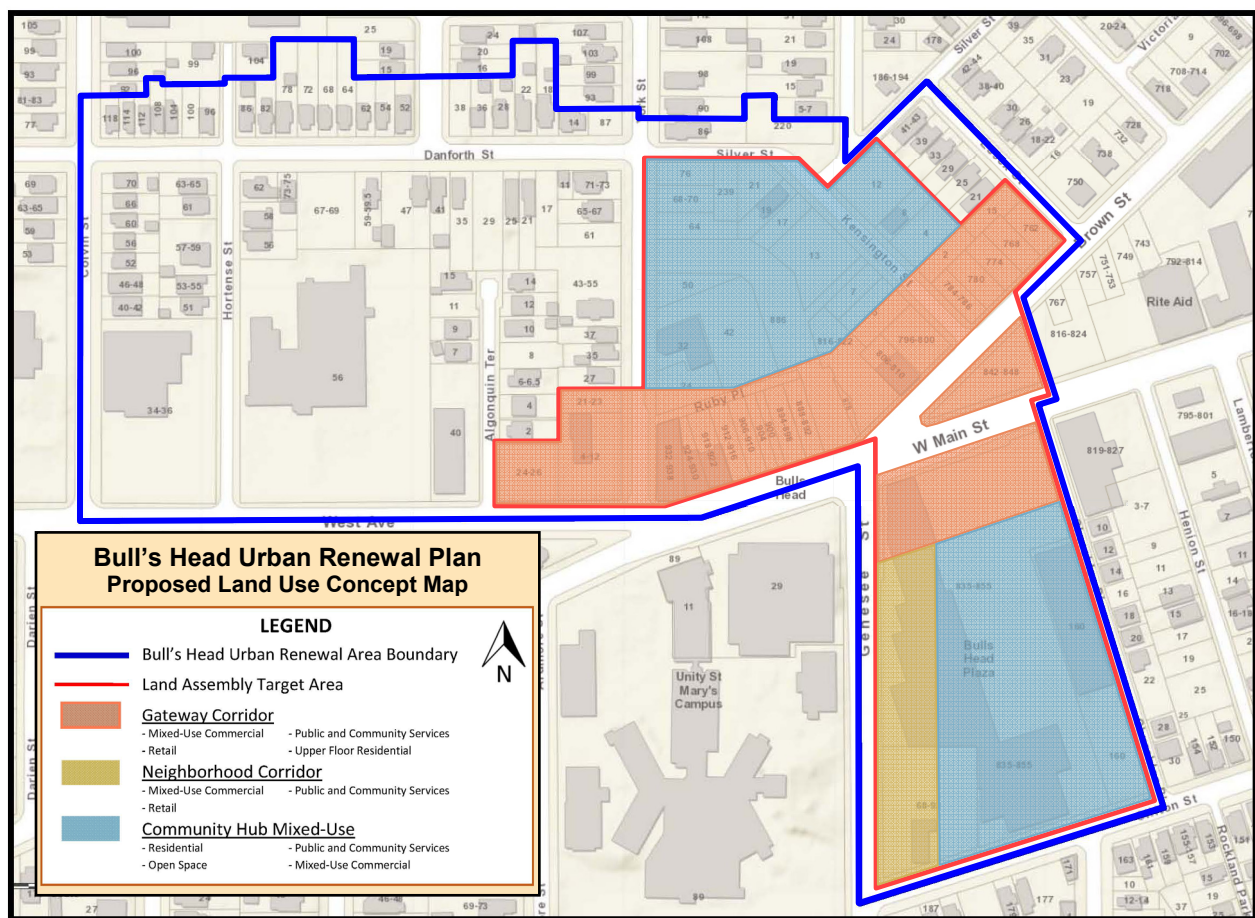
The proposed Gateway Corridor land use area recognizes heightened visibility and access along West Avenue and the convergence of West Main Street and Brown Street. It emphasizes a mix of commercial retail sales and service as the primary uses. Upper floor residential when in a mixed-use setting of first floor commercial space, provides a 24-hour population thereby adding overall increased vitality. While not primary uses, opportunities for infill residential as well as public and community services may be accommodated.

### Neighborhood Corridor:

Similar to the Gateway Corridor land use area, the proposed Neighborhood Corridor land use area emphasizes a mix of commercial retail sales and service as its primary uses. Along the east side of Genesee Street across from St. Mary's medical facilities, this area would readily accommodate public and community services as well.

### Community Hub Mixed-Use:

The proposed Community Hub Mixed-Use land use area emphasizes a mix of public and community services and/or residential as its primary uses. Well-designed public open space will help to connect the proposed new development opportunities with existing adjacent areas.



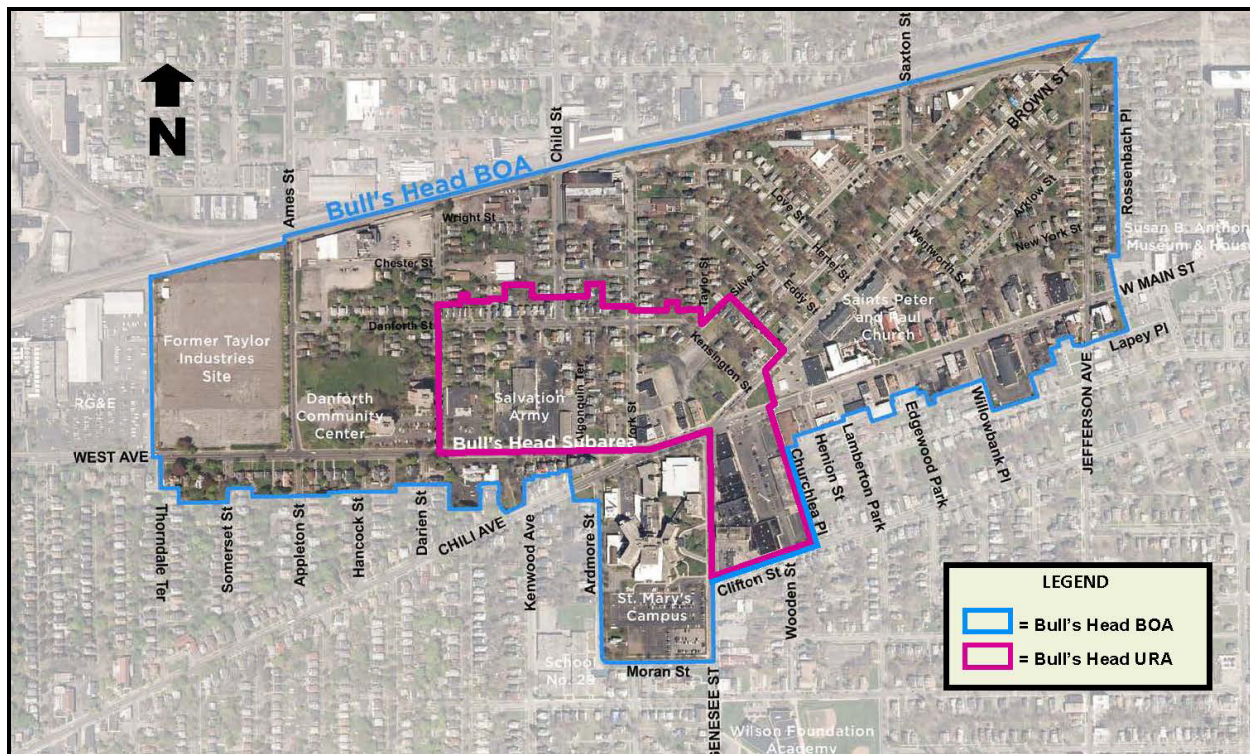
**Figure 3**

The subsequent second stage of the Plan is currently being completed and includes analyses centered on zoning and land use regulations as needed for the completion and adoption of the Bull's Head Urban Renewal District (BHURD). The second stage of the Plan along with the adoption of the BHURD are expected to be completed in 2020.



### Bull's Head Brownfield Opportunity Area Revitalization Plan

During the Bull's Head urban renewal planning process, the City applied for and was awarded through the New York State Department of State (NYSDOS), a Brownfield Opportunity Area (BOA) Step 2 Nomination planning grant for Bull's Head. The Bull's Head BOA (BHBOA) grant funded a community-based revitalization planning process for an approximately 185-acre area significantly larger than, and inclusive of, the BHURA - also referred to as the "Subarea" (See Figure 4 below showing a map of the BHBOA and BHURA boundaries).



**Figure 4**

The BHBOA planning process comprehensively assessed existing neighborhood conditions and environmental concerns to identify and prioritize redevelopment opportunities within a large portion of the city's southwest quadrant that includes among other areas, the BHURA. As presented in the BHBOA grant application and the NYSDOS-approved Project Workplan, the BHURA-specific work would continue on a parallel path with the overall BHBOA planning process.

BHBOA Step 2 Nomination planning work started in 2016 and spanned over a period of four years under the oversight of a Project Advisory Committee (PAC) established for the planning process. The PAC consisted of community representatives/stakeholders, the City, and the City's lead planning consultant Fisher Associates. The BHBOA process included five PAC meetings, three public meetings, and a community fair.



The BHBOA public meetings were well attended and consisted of a cross-section of the neighborhood including residents, business owners, and other community stakeholders.



The public meeting participants were actively engaged in facilitated discussions covering an array of topics related to community revitalization. The public reviewed and commented on extensive site-specific and community-wide inventory and analysis work completed during the beginning stages of the BHBOA planning process. As part of this work, an economic and market trends analysis was also completed by the

project consultant team. As information was obtained and studied, the process identified issues and opportunities relating to the revitalization of Bull's Head. The BHBOA planning process resulted in meaningful dialogue between community members, the PAC and the City's project team. As the issues and opportunities identified were further studied and reviewed with the public in greater detail, the BHBOA planning process ultimately yielded community-supported vision & values statements, goals, objectives, and recommendations for Bull's Head revitalization. The entirety of the community-based BHBOA Step 2 Nomination planning work has been culminated and presented the Bull's Head BOA Revitalization Plan (see **Exhibit C** – Bull's Head Brownfield Opportunity Area Revitalization Plan). The targeted land assembly/redevelopment area within the BHURA for which the RFQ is issued, is referenced in the Bull's Head BOA Revitalization Plan as Strategic Area #5.

The Bull's Head Brownfield Opportunity Area Revitalization Plan is the primary element of the City's application to NYSDOS for official BOA designation. The City's BOA Designation Application was submitted to NYSDOS on January 24, 2020. The official BOA designation by the State of New York Secretary of State provides multiple benefits for the BOA including ongoing public sector support, priority and preference for NYS grants & other financial assistance, and an up to 5% bump-up in tax credits in the Brownfield Cleanup Program. These benefits are further presented on NYSDOS's BOA webpage:

[https://www.dos.ny.gov/opd/programs/brownFieldOpp/BOAdesignation\\_About.html](https://www.dos.ny.gov/opd/programs/brownFieldOpp/BOAdesignation_About.html)

As of the date of issuance for this RFQ, the City has not yet received notification from NYSDOS regarding the status of the BOA designation application process. The City hopes to receive word of Bull's Head official BOA designation in the coming months.

## D. BULL'S HEAD REDEVELOPMENT CONCEPT PLAN

During the Bull's Head revitalization planning process, a redevelopment concept analysis was completed for the 12+ acre targeted redevelopment area within the BHURA. The analysis evaluated multiple scenarios by which maximum build-out of the targeted area could be achieved. The development concept analysis was informed by community input, best practices in urban planning/design, existing market trends, known and suspected brownfield conditions, fiscal parameters, and the identified need for significant transportation infrastructure improvements at Bull's Head.

The development concept analysis was presented at a public meeting in June 2019. To illustrate multiple combinations of elements for how the area could be developed, four slightly different presentation concept frames were presented, each with a different combination of new development, adaptive re-use of certain structures, and certain land uses. As more information about specific sites within the targeted area became available, one development concept plan was advanced to capture features from each of the four frames previously presented. Common features from each of the four frames as represented in the final development concept plan include the following (see **Exhibit D** – Bull's Head Redevelopment Concept Plan):

- Consistency with the land use concept plan in the Bull's Head Urban Renewal Plan
- Creation of developable sites that were previously underutilized
- Mixed-use emphasis in order to maximize the daytime and nighttime vitality of Bull's Head
- Medium to high density build-out of multi-story buildings
- Generous public gathering spaces with enhanced/safe access
- Zero setback alignment for building frontages with parking visibility obscured
- Focus on rebuilding/strengthening commercial corridors to increase access to goods and services and increase local job opportunities
- Mitigation of significant traffic & pedestrian circulation/safety issues at the intersections of York Street/West Avenue/Chili Avenue and West Main Street/Genesee Street
- Improved multi-modal mobility infrastructure - Complete Streets
- Enhanced green space

The development concept plan is intended to illustrate how a relatively large area in the heart of the western gateway to downtown can be built out. While certain infrastructure improvements shown are considered necessary to mitigate significant issues at the two major intersections referenced above, the new development shown is illustrative only and meant to provide visual context for all of the features listed above.

In support of the concept development plan and to better understand solutions to existing traffic circulation and safety issues identified, a traffic impact study was completed in early 2020 (see **Exhibit E** – Traffic Impact Study Report).

## E. SITE CONTEXT & INFORMATION

### Zoning

As part of the second stage of the Bull's Head Urban Renewal Plan, the City is currently undertaking analyses centered on zoning and land use regulations as needed for the completion and adoption of the Bull's Head Urban Renewal District. Both the second stage of the Bull's Head Urban Renewal Plan and the adoption of the Bull's Head Urban Renewal District are expected to be completed in 2020.

### Existing Demographic, Economic & Market Trends Information

As part of the Bull's Head BOA planning process, an economic and market trends analysis was completed. The analysis includes the following topical areas (See **Exhibit F** – Demographic, Economic, and Market Trends Analysis):

- Population
- Demographics
- Housing
- Employment
- Income
- Economic & market trends
- Residential market
- Commercial (office) market
- Retail market & consumer spending

### Citywide Housing Market Study

The City commissioned a Citywide Housing Market Study completed in 2018. To explore and better understand housing market conditions and patterns across Rochester, this study drew upon a wide range of quantitative and qualitative data sources. See **Exhibit G** – Citywide Housing Market Study.

### Commercial Corridor Study

The City commissioned a Commercial Corridor Study completed in 2019. The analysis was completed in phases. The initial phase addressed broad issues of change and existing conditions in the commercial sector within Rochester and the region. The second phase of the study delved more deeply into eight CDBG-eligible commercial corridor study areas including West Main Street. The final phase of the project brought together the theory of change and the observations from the eight study areas to recommend an overall program for the City to spur revitalization. See **Exhibit H** – Commercial Corridor Study.

### Existing Conditions Site Survey Map

In 2019, the City commissioned a full instrument survey of the entire Bull's Head targeted redevelopment area. The resulting survey map includes the follow features:

- Property boundaries
- Property ownership (*Please note, some properties have since been acquired by the City and not reflected on the survey map*)
- Topography
- Existing conditions
- Above ground structures (*Please note, some structures have since been demolished by the City and not reflected on the survey map*)
- Public Rights-of-Way
- Utilities

The survey map pdf document prepared includes multiple layers which may be turned on and off for ease of viewing (See **Exhibit I** - Existing Conditions Survey Map).

### Site Subsurface Environmental and Geotechnical Information

The BHURA has been the subject of extensive environmental due diligence and geotechnical analyses. Environmental/brownfield screening was completed for each property within the BHURA. Beyond the screening, Phase I, and where applicable, Phase II environmental site analyses/testing and geotechnical analyses were completed for a majority of the 45 properties located within the targeted redevelopment portion of the BHURA (See **Exhibit J** - Existing Environmental and Subsurface Conditions Reports). This summary only applies to properties where the City had access to conduct subsurface investigations and studies and does not apply to those properties, including privately-owned properties, where the City and its agents did not have full and complete access.

Of particular note, the following properties have known significant environmental contamination and are currently in various stages of clean-up programs/activities:

- 68-92 Genesee Street
- 835-855 West Main Street
- 24 & 32 York Street

A summary of the subsurface conditions findings for properties in the targeted redevelopment area is provided below. Environmental and geotechnical conditions of properties north of West Main Street and properties south West Main Street are discussed herein as separate sub-sets.

#### **Summary of Environmental Considerations - North of West Main Street:**

Heterogeneous (i.e., varied) fill material is present above indigenous soil or bedrock over the majority of the targeted redevelopment area north of West Main Street. Most of the fill material consists of re-worked soil with lesser amounts of topsoil, and fill materials such as ash, cinders, coal, asphalt, brick, concrete, organics, wood, metal,



plastic, etc. Some locations contain larger debris such as concrete, brick, concrete block, rock, metal and wood. In addition, an apparent older fill material containing greater than 50% ash and/or cinders (>0.5 feet thick) is present on part of this area. The consistency of the fill material changes from parcel to parcel, and some of it may be associated with backfilling basements and/or grading over time as former buildings were demolished. In addition, some of the fill material may be considered historic fill that was used to fill in low-lying areas prior to any development.

Some of the fill material has been documented to contain metals, semi-volatile organic compounds (SVOCs), and other constituents at concentrations that exceed applicable New York State Department of Environmental Conservation (NYSDEC) Part 375 soil cleanup objectives (SCOs). Areas of fill material will require specialized handling. Under NYSDEC regulations, fill materials consisting of concrete, asphalt and rock could be considered a construction and demolition (C&D) waste if displaced during redevelopment or other future activities. NYSDEC regulations also indicate that fill materials present at the Site that consist of ash, cinders, coal and/or slag could be considered to be industrial regulated solid waste if displaced during redevelopment or other future activities. Some of these fill materials will require off-site disposal at a regulated landfill facility while other fill material types could be re-used with or without restriction. As examples, some fill materials that are considered a regulated solid waste due to contaminant concentrations and/or presence of limited quantities of industrial solid waste could become exempt from solid waste regulations and be re-used under a pre-determined and/or case-specific beneficial use determination (BUD) referenced in NYSDEC Part 360 (Solid Waste Management Facilities) §360-1.15 (Beneficial Use) if used under a cover system comprised of an acceptable layer of clean soil or impervious material (i.e., pavement, or building).

Petroleum-impacted soil and groundwater are present on the 24 York Street and 32 York Street parcels, which resulted in the generation of NYSDEC Spill #1901036. Petroleum impacted soil and/or groundwater are also present on the northern portion of the 906-910 West Main Street parcel and a portion of the Ruby Place Public ROW. Some of the petroleum contamination in these areas exceeds applicable NYSDEC Part 375 SCOs and/or NYSDEC Technical and Operational Guidance series (TOGS 1.1.1) groundwater standards or guidance values (GWSGVs). The City has been awarded a Brownfields cleanup grant from the United States Environmental Protection Agency (USEPA) to clean up the petroleum contamination on the 24 and 32 York Street parcels. Based on the presence of petroleum contamination in these areas, an evaluation of the potential for soil vapor intrusion (SVI) into new planned buildings is warranted for this portion of the Bulls Head site. If a SVI pathway is confirmed, then soil vapor intrusion mitigation measures (e.g., installation of a sub-slab depressurization system (SSDS) or similar) must be implemented. Based on previous Phase II ESA findings, elevated VOC concentrations were not detected on many of the other parcels located north of West Main Street located away from the petroleum-impacted parcels; and these parcels may not require evaluation of SVI or SVI mitigation on any new planned buildings.

**Summary of Geotechnical Considerations – North of West Main Street:**

The area north of West Main Street has been developed with multiple residential and commercial buildings since at least the 1800s. Most of these buildings have been demolished; however, remnants of some of their former foundations and former basement floors are still present. The former building foundations/floors, heterogeneous fill material, site ground elevation changes, and/or shallow bedrock conditions present geotechnical challenges associated with new development in the targeted redevelopment area north of West Main Street. The presence of certain fill material types on portions of this area may require buildings to be founded on underlying bedrock, and if not mitigated, may shorten the expected life of paved parking lots. In addition, shallow bedrock and/or requirements for handling, re-use or disposal of displaced fill materials or soil, will present obstacles for installation of sub-grade parking lots or basements.

**Summary of Environmental Considerations South of West Main Street:**

Heterogeneous (i.e., varied) fill material is present above indigenous soil or bedrock over the majority of the targeted redevelopment area south of West Main Street. Most of the fill material consists of re-worked soil. Some locations contain larger debris such as broken shale pieces, concrete, brick, concrete block, rock, metal and wood occasionally with lesser amounts of coke, plastic and asphalt. In addition, ash and/or cinders are present in layers on part of this area. The consistency of the fill material changes within and between parcels, and some of it may be associated with backfilling basements and/or grading over time as former buildings were demolished. Fill material consisting of broken shale pieces mixed with sand and silt appears to have been used as a sub-base during past parking lot construction on part of this area. Some of the fill material may be considered historic fill that was used to fill in low-lying areas prior to any development.

Some of the fill material has been documented to contain metals, SVOCs, and other constituents at concentrations that exceed applicable NYSDEC Part 375 SCOs. Areas of fill material will require specialized handling. Under NYSDEC regulations, fill materials consisting of concrete, asphalt., etc. could be considered a C&D waste if displaced during redevelopment or other future activities. NYSDEC regulations also indicate that fill materials present at the Site that consist of ash, cinders, coke, and/or slag could be considered to be industrial regulated solid waste if displaced during redevelopment or other future activities. Some of these fill materials will require off-site disposal at a regulated landfill facility while other fill material types could be re-used with or without restriction. As examples, some fill materials that are considered a regulated solid waste due to contaminant concentrations and/or presence of limited quantities of industrial solid waste could become exempt from solid waste regulations and be re-used under a pre-determined and/or case-specific BUD referenced in NYSDEC §360-1.15 if used under a cover system typically comprised of an acceptable layer of clean soil or impervious material (i.e., pavement, or building).

Volatile organic compounds (VOCs) primarily consisting of tetrachloroethene (PCE) and other chlorinated VOCs, were detected in soil and groundwater on parcels south of West Main Street and east of Genesee Street. Some of the concentrations of

chlorinated VOCs detected exceed applicable NYSDEC Part 375 SCOs and/or NYSDEC TOGS 1.1.1 GWSGVs. Sources of the chlorinated VOCs are separate former dry cleaning operations on the 68-92 Genesee Street parcel (United Dry Cleaning plant) and the 835-855 West Main Street parcel (Westinghouse dry cleaning facility). The United Dry Cleaning plant performed dry cleaning on-site using PCE as a dry cleaning solvent from around 1968 until approximately 2008. In addition, a former laundromat at the northern portion of the 835-855 West Main Street parcel was suspected of performing dry cleaning on-site via the use of coin-operated dry cleaning machines as evidenced by the presence of PCE in soil and groundwater contamination the vicinity of this former commercial facility. Some petroleum constituents and SVOCs are also present in soil and groundwater on the 68-92 Genesee Street parcel at concentrations exceeding applicable NYSDEC Part 375 SCOs and/or NYSDEC TOGS 1.1.1 GWSGVs. VOC contamination on the 62-98 Genesee Street parcel has likely migrated off-site and impacted the 835-855 West Main Street parcel. Abandoned underground storage tanks were also encountered and removed by the City from the 68-92 Genesee Street parcel. The 68-92 Genesee Street parcel is currently listed by the NYSDEC as a State Superfund Site (NYSDEC Site #828196). Sub-slab depressurization systems (SSDS) have been installed to mitigate SVI into the existing two-story building located on the 835-855 West Main Street parcel. Further investigation, remediation, and other corrective measures (e.g., institutional controls and engineering controls) are required to address the PCE that is attributable to past dry-cleaning operations on these two parcels. Based on the presence of PCE and other VOCs, an evaluation of the potential for soil vapor intrusion into new planned buildings is warranted on parcels south of West Main Street. If a soil vapor intrusion pathway is confirmed, then soil vapor intrusion mitigation measures (e.g., installation of a sub-slab depressurization system SSDS or similar) must be implemented.

#### **Summary of Geotechnical Considerations – South of West Main Street:**

The area south of West Main Street is currently improved with the Bull's Head Plaza building, an office building with underground parking garage, and a laundromat building. These parcels were previously developed with multiple residential and commercial buildings since at least the 1800s. Some of these former buildings included an orphan asylum, a lumber yard facility, a machine shop, a new and used automotive sales facility, and a laundromat. In 2016, the former dry cleaning plant building on the northern portion of the 68-92 Genesee Street parcel was demolished; however, a portion of the floor slab was left in-place to minimize exposure to contaminants on this parcel. Remnants of some of the foundations to other former buildings may still be present. The former building foundations/floors, heterogeneous fill material, chlorinated VOCs contaminant conditions, and/or shallow bedrock conditions present geotechnical challenges associated with new development in the targeted redevelopment area south of West Main Street. The presence of certain fill material types on portions of this area may require buildings to be founded on underlying bedrock, and if not mitigated, may shorten the expected life of paved parking lots. In addition, shallow bedrock and/or requirements for handling, re-use or disposal of displaced fill materials or soil, will present obstacles for installation of sub-grade parking lots or basements.

While the City is providing the above reports/information, the City makes no representation or warranty regarding any aspect of any report or other document relating to the physical or environmental condition of any site. 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 the developer's risk. The City advises the developer to conduct its own investigation to determine the physical and/or environmental condition of the Property.



## F. DEVELOPMENT OPPORTUNITY

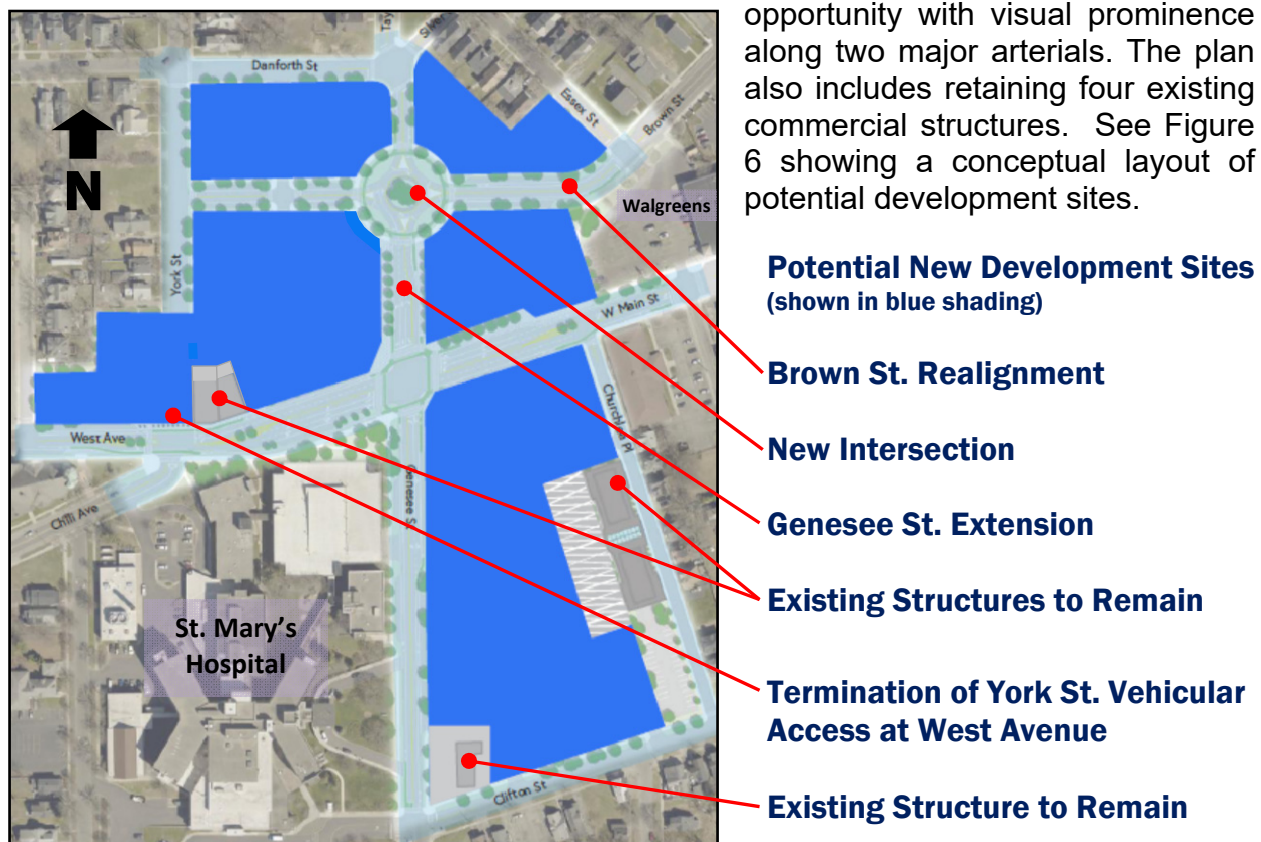
The Bull's Head 12+ acre targeted redevelopment area represents a significant and rare development opportunity in the city of Rochester. Neighborhood revitalization for Bull's Head is a top priority for the City. With over ten years of community-based revitalization planning, the City is pleased to solicit the partnership of a developer who has the qualifications, vision, resources, and passion to advance progressive redevelopment of this important and historic gateway community hub.

**Through this RFQ process, the City envisions selecting a qualified lead developer to partner with to advance and undertake multiple development opportunities to be further defined as the final phases of land assembly and the Bull's Head Urban Renewal Plan are completed. Towards successful redevelopment at Bull's Head, the City recognizes the likelihood for and encourages opportunities for ongoing private and public sector partnerships.**

### Development Site Opportunities

With the Bull's Head development concept plan as the backdrop, it is envisioned that multiple sites north of West Main Street would result from a new intersection created by a northerly extension to Genesee Street and a westerly realignment of Brown Street. In addition, the block south of West Main Street presents a major redevelopment opportunity with visual prominence along two major arterials.

The plan also includes retaining four existing commercial structures. See Figure 6 showing a conceptual layout of potential development sites.



**Figure 6**

### Business Interest & Opportunities

With high visibility and the intersection of two major arterials forming the western gateway to downtown, the Bull's Head targeted redevelopment area offers unlimited potential for locating independent and franchise businesses. With a virtual clean slate for new development, fresh opportunities exist for a range of commercial space development such as in-line retail spaces, entrepreneurial business incubators, stand-alone shops, and state-of-the-art office space.

The Bull's Head revitalization planning process has put this major redevelopment opportunity in the local business community spotlight. The City has maintained ongoing discussions with multiple businesses and community stakeholders who have expressed their interest in redevelopment at Bull's Head. One prominent financial institution in the Rochester community: ESL Federal Credit Union, has expressed interest in establishing a new bank branch at Bull's Head as an anchor business. ESL's expressed enthusiasm is representative of the many exciting opportunities for redevelopment at Bull's Head.

Rochester Regional Health's St. Mary's hospital is the largest employer in the surrounding area and continues to repurpose existing space in its facility for critical community-based medical services & programs. As such, St. Mary's has been and continues to be a key community stakeholder in Bull's Head. The neighborhood stability and vitality represented by St. Mary's presents a range of opportunities for new commercial goods and services related development.



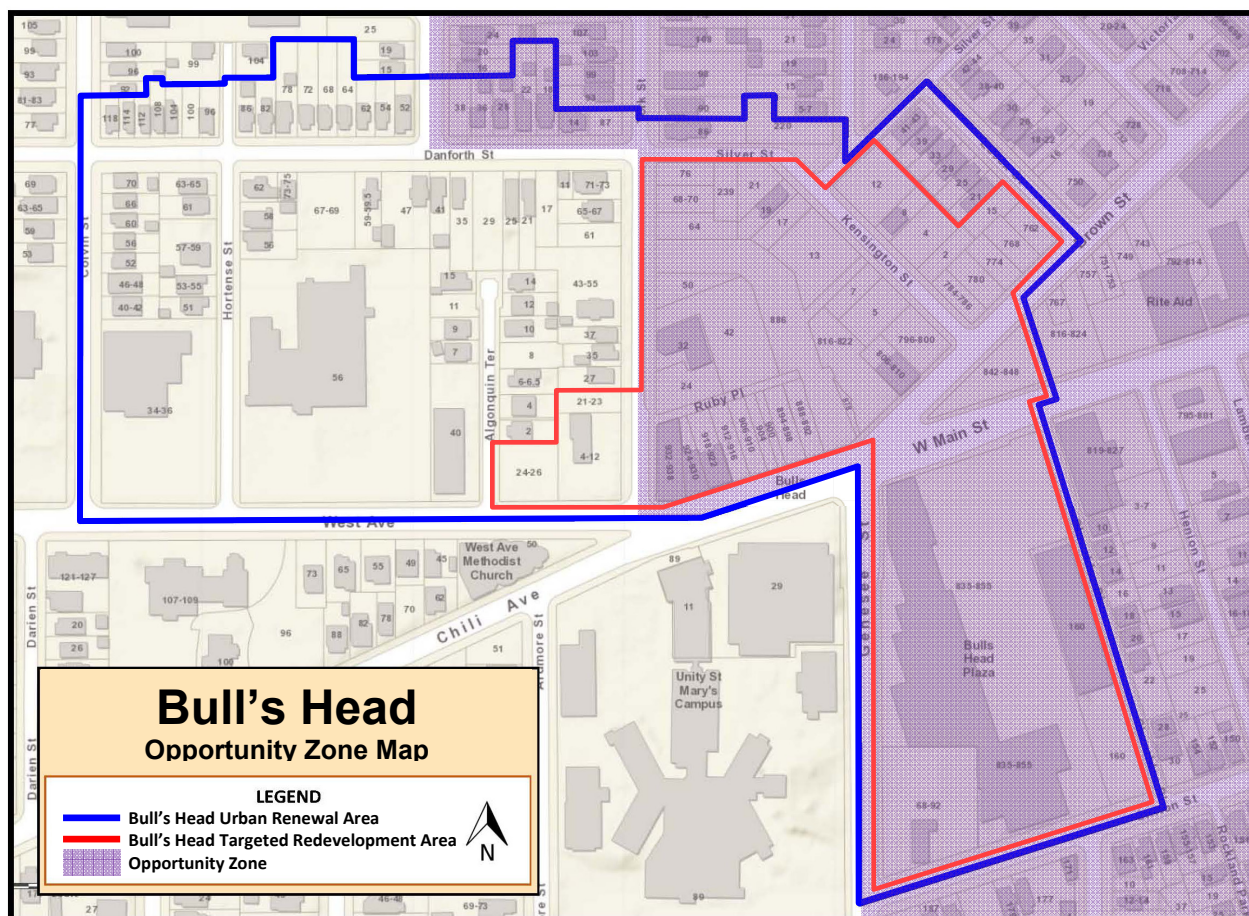
### Rochester Police Department (RPD) - Section Office

Throughout the revitalization planning process for Bull's Head, community stakeholders consistently provided input in favor of re-establishing the permanent presence of RPD at Bull's Head. Once located at the Bull's Head Plaza site decades ago, RPD had since been relocated out of the Bull's Head neighborhood as subsequent iterations of section divisions throughout the city were implemented. In response to a robust unified voice of the community, the City has recently made the commitment to establish a new RPD section office at Bull's Head.

The City is currently completing due diligence in order to determine feasibility and viability for a preferred location within the Bull's Head targeted redevelopment area. The new Bull's Head RPD section office is anticipated to be 16,000 to 20,000 square feet with access and parking for over 100 vehicles (including RPD fleet and private automobiles). As the final phases of land assembly and the Bull's Head Urban Renewal Plan are completed, the City will gain a better understanding regarding a specific timeframe for developing the new Bull's Head RPD section office. As of the time of issuance of this RFQ, it is estimated that the Bull's Head RPD section office would be operational within three years.

### Opportunity Zone

A majority of the Bull's Head targeted redevelopment is located in an Opportunity Zone (See Figure 7 below showing the Opportunity Zone in Bull's Head). Established by the 2017 Tax Cuts and Jobs Act, investing in designated low-and moderate-income Rochester neighborhoods through a Qualified Opportunity Fund provides three levels of tax incentives. For more information about the program and City of Rochester Opportunity Zones, please visit: <https://www.cityofrochester.gov/opportunityzones/>



**Figure 7**

### Brownfield Cleanup Program within a Designated BOA

Brownfield redevelopment tax credits are available to help offset the cost of remediation and encourage private sector redevelopment of brownfield properties enrolled in the New York State Department of Environmental Conservation (DEC) Brownfield Cleanup Program (BCP). Developers participating in the (BCP) to remediate and redevelop sites in a designated BOA are eligible for a tax credit “bump-up” of up to 5% if the development conforms to the BOA Revitalization Plan. For additional information:

<http://www.dec.ny.gov/chemical/101350.html>

<http://www.dos.ny.gov/opd/programs/brownFieldOpp/BOAConformance.html>



### Development Rights

The selected Developer for consideration under this RFQ will enter into a period of exclusive negotiations with the City of Rochester for up to **18 MONTHS**. During the exclusive negotiation period, the Developer will work with the City to further refine and identify specific development opportunities. Through the negotiation process, and upon written agreement by the City and the Developer as to their respective roles and responsibilities and specified development, development rights will be granted to the Developer. Additional information regarding the City's offer to negotiate process can be found in Section V. of this RFQ.

## **G. DEVELOPMENT POLICIES & REQUIREMENTS**

### Sale of City-owned Property

The sale of City-owned property for redevelopment in the referenced targeted redevelopment area of the BHURA shall result from agreements reached between the selected Developer and the City through exclusive negotiations. The sale of City-owned property requires fair-market value to be established through an independent appraisal completed by a certified appraiser. Disposition of said property will be conducted through an executed land disposition agreement(s) which requires a public hearing and authorization by Rochester City Council. The Developer should expect that any such City-owned property will at minimum, be sold to: advance development proposal(s) demonstrating the best use(s) of the site(s); return the property to the tax rolls; and, enhance the surrounding area.

The land disposition agreement will carry requirements to fulfill certain Minority and Women-owned Enterprise (MWBE) and Minority and Women Workforce goals during construction, as follows:

MWBE Goal: 30% of any City subsidy/financial assistance, with the following breakdown:

- Minority-owned Businesses (MBE): 20%
- Women-owned Businesses (WBE): 10%

Workforce Goals (counted by worker hours on the project):

- City Residents: 25%
- Minority: 20%
- Women: 6.9%

There will also be requirements for the inclusion of affordable housing units to be incorporated in all projects that include residential uses. At least twenty percent (20%) of any proposed residential units will be required to be affordable to households earning at or below 60% of the average median income (AMI). Affordability period will be fifteen (15) years.

### SEQR and Regulatory Approvals

All proposed development is subject to the State Environmental Quality Review Act (SEQR). At minimum, all proposed development will require Site Plan Review and Approval. In addition, all proposed development must demonstrate consistency with the following:

- Rochester 2034, the City of Rochester's Comprehensive Plan
- Bull's Head Urban Renewal Plan (second stage pending)
- Bull's Head Urban Renewal District Zoning Regulations (pending)
- Bull's Head BOA Revitalization Plan
- Any applicable environmental remedial and/or management plans approved/monitored under local, state, & federal jurisdiction

### Purchaser Eligibility

All purchasers of City-owned property must meet the eligibility requirements, as defined in Chapter 21 of the City of Rochester Municipal Code. See **Exhibit K** - Eligibility Requirements.

### Assessment of Community Benefits

As a partner with the City in advancing redevelopment at Bull's Head, the selected Developer must continuously assess the value of any proposed development with the following questions:

- Is the project good for the tax base? How?
- Is the project good for economically disadvantaged households? How?
- Does the project have a good multiplier effect (jobs)? How many jobs are created?
- Is this project good for market confidence?
- Does this project aid in the de-concentration of poverty?

### Sustainable & Environmentally Sensitive Development

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 including the consumption of fossil fuels and the production of greenhouse gasses. Therefore, the City encourages new development to include designs that incorporate sustainable and environmentally sensitive design, construction methods, materials and systems.

The City of Rochester is committed to reducing greenhouse gas emissions in the community by 40 percent from the baseline year of 2010 by the year 2030. Strategies developed to achieve this target greenhouse gas emission reduction target are included in the Rochester Climate Action Plan at: [www.cityofrochester.gov/climateactionplan](http://www.cityofrochester.gov/climateactionplan) which was completed in 2016 and endorsed by Rochester City Council on May 23, 2017. The Climate Action Plan recognizes the importance of energy efficiency and



sustainable development in the city to contribute to mitigation of climate change, and, to that end, encourages the incorporation of green building aspects into new development, such as the following:

- Air or ground source heat pump systems
- LED lighting
- Energy efficient building envelope (e.g. insulation, windows)
- Renewable energy, including on-site solar photovoltaic or wind
- Building energy management systems
- Heat pump hot water heaters or on-demand hot water heaters
- High efficiency electric appliances
- Water-efficient fixtures
- Electric vehicle charging stations
- Green infrastructure (e.g. permeable pavement, green roofs, rain gardens, bio-retention areas)

Natural gas usage contributes 51% of the greenhouse gas emissions in the city of Rochester. Reducing or eliminating the usage of natural gas by switching to energy efficient electric systems, such as air or ground source heat pumps, is encouraged. Utilization of sustainable building standards, such as LEED, Energy Star, Passive Design, Enterprise Green Communities or net-zero energy buildings is also encouraged.

When specific development is proposed, such proposals should indicate how the development 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 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 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 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.

**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 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 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.enterprisecommunity.org/solutions-and-innovation/green-communities](http://www.enterprisecommunity.org/solutions-and-innovation/green-communities)

This RFQ does not establish green community standards for proposed new development. However, proposed new development will be evaluated according to the extent that the projects will address the above criteria.

## **H. CITY ROLE & RESPONSIBILITIES**

Final roles and responsibilities of the City and the selected Developer will be established during the exclusive negotiation period. With respect to advancing development in the targeted redevelopment area of Bull's Head, the City will be responsible for the following redevelopment/revitalization related elements:

### **Bull's Head Urban Renewal and BOA Revitalization Planning Processes**

The City will complete the following in support of redevelopment/revitalization planning for Bull's Head:

- Bull's Head Urban Renewal Plan (second stage)
- Bull's Head Urban Renewal District
- Bull's Head BOA Designation
- On-going community engagement

### **Coordination and Support for Additional Public Assistance**

The City will continue its ongoing process to pursue additional resources for various activities relating to advancing redevelopment/revitalization at Bull's Head. This includes but is not limited to the following:

- NYSDOS BOA Step 3 Implementation grant funding
- Environmental due diligence/clean-up funding
- Planning and engineering studies
- Design and construction of public improvements/infrastructure
- Development assistance in the form of local, state, & federal incentives

### **Reporting on Existing Conditions**

The City will make available to the selected Developer for its consideration, reports regarding the environmental and subsurface conditions of the sites. As ongoing environmental and geotechnical due diligence is completed by the City, the associated pending reports of such due diligence activities will also be made available.

## **SECTION III. SUBMISSION REQUIREMENTS**

### **DEVELOPER**

1. Provide all name(s), contact(s) and resume(s) of the developer/development entity.
2. Provide a list of all of the developer's agency/organization affiliations related to real estate development.
3. Explain developer's access to private sector funding for major development projects. The explanation should include a description of the developer's current financial solvency and how that relates to the developer's ability to secure future private sector funding as needed.

### **DEVELOPER EXPERIENCE**

1. Submit a detailed history of all major development projects that have been completed in the last five (5) years demonstrating similarity in scope and complexity to that of Bull's Head redevelopment. For each project included, the developer's financial role/participation must be detailed.
2. Provide the developer's experience in multi-layered capital-stack funded development projects and provide details on how the funding was secured.
3. Present and describe successes and challenges overcome on major development projects.

4. Provide detailed descriptions of the developer's experience in municipality/public sector partnerships for development projects.
5. Present and describe the developer's experience with community engagement on major development projects. Note the associated challenges and outcomes.
6. Present the developer's experience with brownfield development, including environmental challenges, due diligence, regulatory compliance, working with NYSDEC BCP investigation and cleanup projects, and similar Brownfield cleanup incentive programs/projects.
7. Provide a detailed list of successful grants awarded for development projects, the developer's role, and how the grant made the project possible.
8. Provide a list of all current projects and development commitments for the next three (3) years.

#### PARTNERSHIP AND APPROACH

1. Provide a narrative explaining the developer's proposed approach to its partnership with the City and any other agency/organization in completing redevelopment at Bull's Head. The narrative should identify the proposed roles and responsibilities for all involved parties.
2. Provide a narrative explaining the developer's logistical approach to completing redevelopment of 12+ acres bisected by a major arterial in the heart of a historic city neighborhood. The narrative should identify any contemplated phasing as well as any considerations that the developer feels as significant to the success of the project. The narrative should also include an overall targeted timeline with associated rationale provided for any specific sequencing of major steps.

#### MARKET RESEARCH AND MARKETING PLAN APPROACH

1. Provide the developer's proposed approach to market research and a marketing plan for the overall project.
2. If applicable, present any proposed partnerships (besides the City) for the successful marketing of multiple project development phases.

#### ISSUES AND CONCERNS

Provide a detailed description of any issues or concerns identified by the developer in relation to the project.

## **SECTION IV. EVALUATION & SELECTION PROCESS**

Each submission of qualifications will be evaluated based on the information submitted. A committee will be formed with members appointed from various City departments. Submissions received within the stated deadline and containing all required information will be evaluated using the following criteria:

### **UNDERSTANDING OF THE PROJECT AND SITE CONTEXT**

1. Understanding of the history of the project site and surrounding community.
2. Understanding of the existing community context in and around the Bull's Head Urban Renewal Area.
3. Knowledge of community stakeholders and community based organizations in and around the Bull's Head Urban Renewal Area.
4. Understanding of the existing socioeconomic context within which the project site is located.
5. Understanding of the community revitalization planning processes/programs and associated documents, including the following:
  - Rochester 2034, the City of Rochester's Comprehensive Plan
  - Bull's Head Urban Renewal Plan
  - Bull's Head Urban Renewal District
  - Bull's Head BOA Revitalization Plan
6. Understanding of the community vision concept for the Bull's Head targeted redevelopment area.
7. Demonstrated knowledge of existing subsurface conditions throughout the project site and how they may potentially influence future redevelopment.
8. Understanding of the City's Climate Action Plan.

### **EXPERIENCE**

1. Developer's demonstrated proof of having successfully completed projects similar in scope and complexity.
2. Developer's demonstrated successful experience in assembling and completing multi-layered capital-stack funded development projects.
3. Developer's demonstrated experience in municipality/public sector partnerships for development projects.



4. Developer's demonstrated experience with community engagement on major development projects.
5. Developer's demonstrated experience with brownfield development, including environmental challenges, due diligence, regulatory compliance, working with NYSDEC BCP investigation and cleanup projects, and similar Brownfield cleanup incentive programs/projects.
6. Developer's demonstrated ability in successfully securing public and private sector funding for major development projects.
7. Developer's ability to undertake this major complex development project within the context of their projected development related endeavors in the next three (3) years.

#### APPROACH TO THE PROJECT

1. Quality of the developer's stated approach towards a partnership with the City and other agencies/organizations in order to complete the project.
2. Quality of the developer's stated logistical approach to completing redevelopment of a significant amount of real estate in the heart of an established historic city neighborhood, including the overall targeted timeline.

#### MARKET RESEARCH AND MARKETING PLAN APPROACH

Quality of the developer's stated approach to market research and a marketing plan for the overall project.

**Please Note: Upon initial review of the submissions, the evaluation team may choose to establish a short-list for subsequent interviews and may require the submission of more detailed information related to the financial condition of the developer (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.**

## **SECTION V. OFFER TO NEGOTIATE**

The qualified Developer selected for consideration under this RFQ will enter into a period of exclusive negotiations with the City for up to **18 MONTHS**. If the City and the Developer are able to reach an agreement on the approach to advancing Bull's Head redevelopment including proposed project development/uses, phasing, partnerships, and roles and responsibilities, and specific terms such as property purchase price, development programs, mitigation of environmental conditions, financing plan, and

development schedule, the City will move forward with the public and legal processes to award development rights to the Developer for specific existing and/or future parcels for which agreements are reached. If the City and the Developer are unable to reach an agreement, either party may withdraw from the project with no liabilities. The City may open discussion with other developers at that time.

The City may request any additional information as it determines appropriate to select a Developer whose qualifications are best suited to this project. 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.

## **SECTION VI. SCHEDULE & GENERAL INFORMATION**

### Proposed Schedule and Deadlines

July 17, 2020 .....	RFQ Release
August 13, 2020 at 2:00 PM.....	Developer Informational Session (Zoom webinar)
September 28, 2020 (by 4:00 PM) .....	Submission Deadline
October/November 2020 .....	Submission Evaluation

### RFQ Coordinator / Issuing Office

The Project Manager for this RFQ, Rick Rynski, Associate Administrative Analyst, NBD, will serve as the coordinator and point person of contact during the proposal evaluation process. All correspondences, questions, etc., related to this RFQ should be addressed to:

Rick Rynski, Associate Administrative Analyst  
Department of Neighborhood & Business Development  
City Hall, Room 005A  
30 Church Street  
Rochester, New York 14614  
Telephone: 585-428-6932  
Email: [Rick.Rynski@cityofrochester.gov](mailto:Rick.Rynski@cityofrochester.gov)

### Restriction on Communication

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

### Rights Reserved

- A. Only submissions that comply with all the objectives, provisions and requirements of this Request for Qualifications (RFQ) will be considered for review by the City of Rochester (City).
- B. The City reserves the right to independently investigate or request clarification of the contents of any submission, including requesting that any prospective developer provide additional information, or make a presentation before the final selection is made.
- C. All materials submitted in response to this RFQ become the property of the City, without obligation of the City to return such materials.
- D. 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 developer, shall be at the sole and absolute discretion of the City.
- E. Subsequent to the submission, the City, in its sole and absolute discretion, may enter into parallel negotiations with two or more developers, may designate two or more developers for “short list” consideration, may request best and final offers and/or may conduct competitive proceedings with respect to the potential disposition of the property described in this RFQ. This is not a competitive process; the City will assess submissions and select a developer in its sole and absolute discretion.
- F. The City of Rochester may waive any of the provisions, requirements, terms and conditions of this RFQ.
- G. The City reserves the right to cancel or reissue the RFQ at its sole discretion and that the City shall have no liability for any costs incurred in preparing a submission.
- H. The City reserves the right to issue an addendum should it become necessary to revise any section of this RFQ, provide additional information necessary to adequately interpret provisions and requirements of this RFQ, or respond to written inquiries concerning the RFQ.
- I. The City reserves the right at its sole discretion to accept or reject any and all submissions 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.
- J. The City has no obligation to discuss its reasons for selecting, accepting or rejecting any submissions with any respondents or representatives of said respondents.
- K. The City shall not be liable for any costs or expenses (including but not limited to the foregoing costs and expenses of legal counsel) incurred by any respondent in responding to this Request.
- L. All costs and expenses incurred by each respondent in connection with this RFQ will be borne by the respondent, including without limiting the foregoing, all costs and expenses in connection with: surveys, reports, plans, designs, schematics, studies, research and any other due diligence work; preparation of each submission; advice and representation of legal counsel responding to this RFQ.
- M. The City reserves the right to withdraw from, or lease any or all of the properties for which the City has made a public request for qualifications at any time prior to approval by Rochester City Council.

- N. Submissions shall be accepted from principals only. No brokerage fees, finder's fees, commissions or other compensation will be payable by the City in connection with selection of a developer.
- O. 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 Addenda to the RFQ and post it to the City website (<http://www.cityofrochester.gov>) – it is the responsibility of all interested parties to regularly check the City website for any Addenda. The City reserves the right to extend the Submission Deadline by a reasonable time.
- P. The City of Rochester has the right in its sole and absolute discretion to reject any and all submissions, to accept any submission and to elect not to proceed with the process set forth in this Request for Qualifications.

#### Submission Instructions

A complete electronic copy on a flash drive and ten (10) hard copies of the submission are to be submitted no later than **4:00 PM on Monday, September 28, 2020** to:

Receptionist  
City of Rochester, 30 Church Street, Room 005A  
Rochester, New York 14614

Submissions received after **4:00 PM on Monday, September 28, 2020** will not be considered.

Please submit paper submissions on 8.5 x 11 inch paper. One (1) copy of the submission must be signed by an officer or trustee of the organization who is empowered to contractually obligate the organization. The submission shall become the property of the City, and the City is not obligated to return such documents. Each submission must include at a minimum, the items listed in this RFQ as per Section III. Submission Requirements.

#### Additional Informational Resources:

[www.cityofrochester.gov](http://www.cityofrochester.gov)

[www.cityofrochester.gov/BullsHeadRevitalization/](http://www.cityofrochester.gov/BullsHeadRevitalization/)

[www.cityofrochester.gov/Rochester2034](http://www.cityofrochester.gov/Rochester2034)

[www.cityofrochester.gov/opportunityzones](http://www.cityofrochester.gov/opportunityzones)

[www.cityofrochester.gov/HousingMarketStudy2018/](http://www.cityofrochester.gov/HousingMarketStudy2018/)

[www.cityofrochester.gov/CommercialCorridorStudy/](http://www.cityofrochester.gov/CommercialCorridorStudy/)

[www.cityofrochester.gov/climateactionplan](http://www.cityofrochester.gov/climateactionplan)

[www.dos.ny.gov/opd/programs/brownFieldOpp/index.html](http://www.dos.ny.gov/opd/programs/brownFieldOpp/index.html)



**END OF RFQ**

**(EXHIBITS posted separately)**