



City of Phoenix

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

VIA E-MAIL

October 14, 2015

Mr. Robert Lyles
President
Fifth and Fillmore Development Partners, LLC
8135 E Indian Bend Road, Suite 101
Scottsdale, AZ 85250

Ms. Patricia Watts
Partner
Deco Communities
8135 E. Indian Bend Road, Suite #101
Scottsdale, AZ 85250

Dear Mr. Lyles and Ms. Watts:

The City of Phoenix (City) received Ms. Watts's email yesterday, stating that Fifth and Fillmore Development Partners, LLC (Fifth and Fillmore) would like to withdraw its proposal to the West Fillmore Redevelopment Request for Proposals (RFP). However, in the Affidavit that Fifth and Fillmore submitted as part of its proposal, it expressly acknowledged that the proposal may only be withdrawn "in writing **at any time prior to the proposal deadline but may not be withdrawn after such date and time.**" (Affidavit, para. 5 [emphasis added]). Here, the RFP proposal deadline was June 30, 2015. Therefore, your request dated October 13, 2015 to withdraw the proposal is untimely, and the City cannot accept your request to withdraw.

Please be advised that you and your proposal team are still subject to all of the proposer obligations and limitations stated in the RFP, including the Transparency Policy. If you have any questions or would like to discuss anything regarding this RFP, please contact me.

Sincerely,

Gretchen Wolfe

Gretchen Wolfe
Procurement Officer