CENTRAL STATION RFP
Central Avenue and Van Buren Street
Downtown Phoenix

Full City Block Redevelopment Opportunity

300 N. Central Avenue
Central Station is a rare, full city-block redevelopment opportunity in the heart of Phoenix, the 5th largest city in the United States. Downtown Phoenix is a center for employment, education, professional sports, living, arts and culture. Large scale projects such as Phoenix Convention Center, Valley Metro Light Rail, the Phoenix Biomedical Campus and Arizona State University Downtown have accelerated Phoenix’s urban renewal and fed the growth of a dynamic tech sector. Residential development plus an exciting food and entertainment scene provide the opportunity to experience the only true urban setting in the state.

Site Summary

Location  Northwest corner of Central Avenue and Van Buren, within the Downtown Phoenix Enhanced Municipal Services District

Address  300 N. Central Ave.

Site Size  111,688± Square Feet; 2.56 acres

Parcel  APN 111-42-114

Zoning  City of Phoenix DTC-BCORE, Downtown Business Core

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<tr>
<th>Population</th>
<th>1 mile</th>
<th>3 mile</th>
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Area Highlights

Central Business District - 195,000+ employees

Immediately adjacent to:
- ASU Downtown Campus & 15,000 students
- Civic Space Park
- Light Rail

Minutes from:
- I-10 and I-17 freeways
- Phoenix Convention Center Nearly 1 million annual guests
- Roosevelt Row Arts District Home of the nation’s largest art walk
- Phoenix Biomedical Campus The highest concentration of research scientists in the region
- 14 live music venues
- Chase Field and Talking Stick Resort Arena Annual attendance of 3 million

City of Phoenix
Community & Economic Development Department
Gretchen Wolfe, Procurement Officer
Gretchen.Wolfe@Phoenix.gov  602-495-0747

PHOENIX IS HOT.
Central Station Redevelopment
Request for Proposals (RFP)
RFP-CED18-CST

Schedule

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<td>June 25, 2018</td>
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<td>Pre-Proposal Meeting (11:00 a.m.)</td>
<td>July 12, 2018</td>
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<td>September-October 2018</td>
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<td>Negotiations with Recommended Proposer</td>
<td>Fall 2018</td>
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Submit proposals and requests for alternate formats to:
Gretchen Wolfe, Procurement Officer
City of Phoenix Community and Economic Development Department
200 West Washington Street, 20th Floor
Phoenix, Arizona 85003-1611
Telephone: 602-495-0747 (7-1-1 Friendly)
procurement.request.ced@phoenix.gov
phoenix.gov/solicitations/1564

This RFP does not commit the City to award any contract. All dates subject to change.
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I. RFP PROCESS

A. Introduction

The City of Phoenix (City), through its Community and Economic Development Department (CEDD), invites sealed proposals for the lease and redevelopment of the parcel located at 300 N. Central Avenue in downtown Phoenix (Site). Site Maps are included in this RFP as Attachment E.

Downtown Phoenix is the financial, government, and legal center of Arizona and home to the three largest banks in the state and the Arizona State University (ASU) Downtown Campus. The Downtown Core has more than 8 million square feet (SF) of private office space, most of which is located a few short blocks from Valley Metro light rail stations. Currently, approximately 4,000 businesses employ 61,500 employees in the downtown area. The Downtown Core has experienced significant renewal, including a multifamily market that has expanded significantly as people seek to live in urban environments and more than $5 billion in public and private capital investment over the past decade. A broader description of Phoenix and downtown Phoenix, including major employment, government, biomedical research, retail, entertainment, hospitality, and residential uses, as well as recent development activity, is posted on the City’s website.

B. Minimum Qualifications

The following minimum qualifications are non-negotiable.

1. The proposer must have experience successfully completing at least 1 vertical development of at least 7 stories in the last 5 years.

2. The minimum annual cash return to the City is $614,300 for each year of the lease. (A current appraisal of the Site is posted at phoenix.gov/solicitations/1564).

Each proposer must demonstrate these minimum qualifications in its proposal or its proposal will be deemed non-responsive and disqualified.

C. Pre-Proposal Meeting

Proposers are strongly encouraged to attend the pre-proposal meeting at the date and time listed on page 1 in the Assembly Rooms on the first floor of Phoenix City Hall, 200 West Washington Street. The purpose of this meeting is to review this RFP and respond to proposer questions. Please email procurement.request.ced@phoenix.gov to register for this meeting.
D. Proposer Questions and Notification

Proposers are advised to read this RFP in its entirety. Failure to read and/or understand any portion of this RFP shall not be cause for waiver of any portion of the RFP or subsequent contract.

All questions about this RFP must be submitted in writing no later than the deadline listed on page 1 to procurement.request.ced@phoenix.gov. Please list the name of this RFP in the subject line when submitting questions. All written questions received by the deadline will be responded to in writing and posted at phoenix.gov/solicitations/1564.

E. Changes to the RFP

Changes to this RFP will be in writing as an addendum and posted at phoenix.gov/solicitations/1564. The City shall not be responsible for any oral instructions given by any City employee, consultant, or official regarding RFP specifications, instructions, or documents.

Although registered pre-proposal meeting attendees, and potential proposers that request such notification in writing, will be notified by email when documents related to this RFP are available at phoenix.gov/solicitations/1564, proposers are responsible for obtaining all information posted on the website.

F. Proposal Guarantee

Each proposal must be accompanied by a $100,000 proposal guarantee in the form of a cashier’s check, payable without condition or restrictive endorsement, to the “City of Phoenix.” Each proposer’s proposal guarantee must be submitted with the proposal in a separate sealed envelope. Proposal guarantees of unsuccessful proposers will be returned via certified mail, without interest, immediately after the business opportunity has been formally awarded by the Phoenix City Council or after all proposals are rejected. An unsuccessful proposer may request the return of its proposal guarantee after the award recommendation has been posted; however, once an unsuccessful proposer accepts the return of its proposal guarantee, it will no longer be considered for award of this business opportunity.

The successful proposer’s proposal guarantee becomes non-refundable upon Phoenix City Council approval of the business terms of its proposal. The successful proposer’s proposal guarantee will be credited to the resulting transaction, or if the successful proposer fails to execute the contract in a timely manner, the proposal guarantee will be forfeited as liquidated damages.
II. BUSINESS OPPORTUNITY

Proposals must comply with Federal Transit Administration (FTA) Guidance on Joint Development as this Site was acquired with FTA assistance and the successful proposer will be required to comply with all applicable FTA requirements. Proposed lease terms cannot exceed 99 years and a Consumer Price Index (CPI) adjustment to the annual cash return to the City will be calculated and applied every 10 years. Title to any improvements constructed on the Site shall revert to the City at the end of the lease term.

A. Site Description

The Site is, and will continue to be during the term of the lease resulting from this RFP, a multi-modal transit hub providing numerous light rail and bus connections in and adjacent to the Site. Light rail service is managed by Valley Metro, the regional public transportation agency, and bus service is managed by the City under the Valley Metro brand name. Currently, there 338 bus trips through the Site and 172 light rail trips at the Site per weekday, with nearly 1,300 and 7,200 passenger boardings, respectively. Approximately 1,900 additional passenger boardings currently occur at bus stops adjacent to the Site. Attachment E depicts current weekday bus trips per segment as well as light rail stops. As part of the City’s Transportation 2050 plan, several light rail extensions, including south Phoenix along Central Avenue, Metrocenter, and the State Capitol, are planned.

Other key strengths of the Site include its location in downtown Phoenix and in the heart of the City’s Innovation District (PHX Core), as well as its proximity to the ASU Downtown Campus, professional sports facilities, and other downtown Phoenix cultural venues. The Site is comprised of Assessor’s Parcel Number (APN) 111-42-114 and is approximately 111,688 gross SF or 2.564 acres. The Site is zoned Downtown Code – Business Core (Chapter 12, Section 1209 of the Phoenix Zoning Ordinance, posted at codepublishing.com/az/phoenix/).

This Site is within the Downtown Enhanced Municipal Services District (EMSD), which was established in 1990 at the request of property owners to provide enhanced services to the Downtown Core. These services include landscaping maintenance, graffiti removal, and the downtown Phoenix ambassador program. Property owners within the Downtown EMSD are required to pay annual assessments for the enhanced services, the assessment for which is based on several variables including a property’s assessed value and the type and intensity of its use. Each year, the Downtown EMSD budget is established and allocated among the property owners.

The following easements, some of which overlap, are located within this Site and depicted on page 2 of Attachment E. Proposers are responsible for verifying exact information about the easements with the Maricopa County Recorder’s Office.
• Public Utility Easement (approximately 2,175 SF)
  • Maricopa County Recording Number 1996-0738168
• Access Building Servicing Easement (approximately 2,340 SF)
  • Maricopa County Recording Number 1997-0274351
• APS Utility Easement (approximately 2,490 SF)
  • Maricopa County Recording Number 1997-0389458
• 10’ Landscape and Sidewalk Easement (approximately 2,480 SF)
  • Maricopa County Recorder Book: 425 of Maps, Page: 47

1. Access

Primary Site access is from Central and 1st avenues at the Polk Street alignment and from Van Buren Street. Central and 1st avenues, as well as Van Buren Street, are classified as arterial streets. Access to the Polk Street alignment is currently restricted to transit use and not a local street.

2. Utilities

The City’s existing water and wastewater infrastructure serving the Site is listed below and development requirements can be found in Section IV (B) of the City’s Design Standards Manual for Water and Wastewater Systems.

• Central Avenue – 12” water main and 8” sewer main
• Van Buren Street – 12” water main and 8” sewer main
• 1st Avenue – 12” water main and 10” sewer main

The Site is also served by Southwest Gas (natural gas) and Arizona Public Service (electric power).

3. Arizona Revised Statutes Title 34

The successful proposer will be required to comply with Arizona Revised Statutes (A.R.S.) Title 34, Chapters 2 and 6 for all expenditures related to the:

a. Demolition of existing structures on the Site, and

b. Construction of improved space for transit operations, as described in Section II (D) (1) (c), and any other improvement for public use.

B. Surrounding Area

The Site is bordered on the north by Civic Space Park and the historic Board of Education Building (BOE Building). The successful proposer’s improvements adjacent to the BOE Building shall be subject to design review by the City’s Historic Preservation Office (HPO) during the permitting process.
North and east of the Site is ASU’s Downtown Phoenix campus, a loosely defined urban campus with boundaries generally from 1st Avenue to 3rd Street and from Polk Street to Fillmore Street. To the northeast is the Phoenix Biomedical Campus, which at full build out will house over 6 million SF of clinical, research, and medical office space. Southeast of the Site is the Phoenix Convention Center, which was recently ranked among the top 10 convention center facilities in the country.

Existing uses in the immediate vicinity of the Site include:

- **North** – City park and historic buildings across the Polk Alignment
- **East** – Light rail station (apartments [in design] and hotels across Central Avenue)
- **South** – Historic mid-rise office building and parking garage across Van Buren Street
- **West** – Light rail station (mid-rise office building, parking lot, and fitness center across 1st Avenue)

### C. Desired Project

This Section details the “Desired Project” that will result from the successful proposal and lists specific considerations that should be addressed in proposals. Proposers should review all referenced materials.

The Desired Project should:

1. Capitalize on the unique transit-centric characteristics of this Site by integrating an iconic Transit-Oriented Development (TOD) into the Site’s transit uses and maximizing shared use areas. The final, negotiated project must maintain the Site’s existing transit functionality and:
   
   a. Retain the current two-way, east-west driveway that aligns with Polk Street and allow for continued City/Valley Metro use of the driveway for bus bays, bus routes, and other transit purposes.

   b. Include a one-way, south-to-north driveway that connects Van Buren Street to the Polk Street alignment and allows for continued City/Valley Metro use of the driveway for bus bays, bus routes, and other transit purposes. All existing bus stops must be retained on the Site in their current locations depicted in Attachment E, or in locations mutually agreed upon by the City and the successful proposer.

   c. Provide 9,000 SF of improved space for transit operations such as automated ticket sales, customer service, lost and found, security, public restrooms, and storage. At least 3,000 SF must be on a ground floor and secure elevator access must be provided if the total space spans multiple floors. The successful proposer shall be responsible for providing interim
space at the Site, as approved by the City, should the existing transit space on the Site be demolished before the new space is constructed.

d. Incorporate the City’s existing “transit through time” sign where it can be viewed by the public.

2. Provide a mix of compatible and complementary land uses that facilitate both origin and destination transit ridership as well as urban living. These uses may include office, hotel, retail, restaurant, residential, or civic space. If the proposed development is residential in nature, the proposer should consider a variety of dwelling unit types and ownership models to attract a range of household income brackets and additional mixed-use components.

3. Promote transit use by maximizing connections and providing transit passenger amenities such as seating, shade structures, trash receptacles, bicycle racks, signage, and wayfinding at bus and light rails stop.

4. Create a high-quality and appropriate design with aesthetical and functional transitions to surrounding buildings and uses while having no negative effects on the adjacent BOE Building. Proposed buildings on the Site should be distinctive and diverse in architectural design to make the development more granular in scale and create visual interest at a street level scale.

5. Incorporate enhanced pedestrian-oriented amenities and ground floor activation along all four sides of the Site, promoting walkability with direct connections to bus and light rail routes, Civic Space Park, pedestrian links, and bicycle facilities. Activate multiple street corners and encourage pedestrian connectivity within the Site through small blocks, buildings, and uses that cater to pedestrians. Leasing offices and exercise rooms are discouraged ground floor usage.

6. Be consistent with the City Council-approved Downtown Phoenix: A Strategic Vision and Blue Print for the Future (Downtown Strategic Plan) and Progress Update, the Downtown Code, and all other applicable regulations, guidelines and adopted plans, including the Complete Streets Program, the Bicycle Master Plan, the Tree and Shade Master Plan, and the Accessibility Requirements for Residential Occupancies Guideline.

7. Incorporate and implement elements of sustainability into the design, construction, operation, and maintenance of the proposed development. A wide range of sustainability programs and concepts can be found at phoenix.gov/sustainability and new development sustainability-related design elements are outlined in the Downtown Code, Sections 1223-1224.

8. Align with the goals of the downtown community, adjacent neighborhoods, and Central City Village Planning Committee. There are several neighborhood
and community organizations in downtown Phoenix. A list of active
neighborhood and community groups is available at
phoenix.gov/nsd/programs/neighborhood-coordination.

9. Be initiated and completed within a reasonable time period acceptable to the
City. It is the City’s desire the proposed development be completed in the
shortest time frame possible.

D. Return to the City

In its proposal, each proposer shall detail its return to the City in terms of financial
return (annual lease payments and term of proposed lease) and other tangible
public benefits, which may include one or more of the following: new jobs, business
opportunities, increased transit ridership, civic space, community amenities,
bicycle facilities, shared public parking, workforce housing, pet friendly spaces,
and/or public art.

Although the City reserves the right to participate in projects that create significant
public benefit, such as public infrastructure beyond what would be necessary for
the proposed development, there is currently no identified City funding for the
development resulting from this RFP.

III. PROPOSAL INSTRUCTIONS

A. Delivery of Proposals

Each proposer must submit the following in a sealed package marked with the
proposer’s name and the name of this RFP:

• 1 original proposal,
• 7 color copies of the proposal
• 1 e-copy of the proposal on a CD or flash drive, and
• 1 proposal guarantee as specified in Section I (F).

Proposals must be submitted by the deadline to the address listed on page 1.
Proposals received after the deadline will be disqualified as non-
responsive.

B. Form of Proposals

Proposals shall conform to the following format. Proposals that are incomplete;
conditional; obscure; or that contain additions not requested, changes or
exceptions to material provisions or requirements of this RFP; or irregularities of
any kind, are subject to disqualification.

Each proposal must be compiled and tabbed as described below in a loose-leaf
three-ring binder and each page of the proposal must be numbered. Proposers are encouraged to limit their proposals to no more than 25 double-sided letter-size pages, excluding the items listed for Tab 1. Folded ledger-size paper may be used for items such as the budget, pro forma, and timeline.

Each proposal must include all the following:

1. **Tab 1 – General Information**

   a. Executed Affidavit *(Attachment A)*

   b. Signed Conflict of Interest and Solicitation Transparency Disclosure Form *(Attachment B)*

   c. Signed Federal Certifications *(Attachment C)*

   d. Executive Summary (maximum 2 pages)

   Provide a concise summary of the overall proposal. If the proposer is a joint venture, the Executive Summary must identify the lead developer. If someone other than the person listed on Attachment A will serve as the proposer’s primary contact person for the proposal, the Executive Summary must provide that person’s name, telephone number, and email address.

2. **Tab 2 – Concept to Activate the Site**

   In this section, each proposer shall provide:

   a. Completed Development Details Form *(Attachment D)*

   b. A narrative description of the proposed development that includes an explanation of how the proposed development addresses each element in *Section II (C)* and details for the operation and management of the proposed development after completion of construction.

   c. Conceptual building elevations and a conceptual site plan, including any phasing.

   d. Circulation plan(s) showing transit, vehicular, bicycle, and pedestrian access and circulation within and around the Site, including adjacent streets. The plan(s) should show loading/unloading locations, including locations for driverless vehicles and ride share services, if included in the proposed development.

   e. Documentation of the proposed development’s feasibility, including:
• Research/market demand data supporting the proposed development.
• Letters of interest from potential tenants/buyers/operators for the proposed development.

f. A project budget clearly detailing and defining the proposed development’s costs, including construction costs, soft costs, contingencies, and assumptions.

g. An operating pro forma for the proposed development, including all revenues, expenses, debt service, taxes, and other assessments for 10 years, and assumptions.

h. A comprehensive timeline with major milestones and all stages of the proposed development including site control, planning and design, entitlements, plan review, permits, construction, and occupancy and/or lease-up. This timeline should detail any phasing for the proposed development and reasonable assumptions.

i. A construction mitigation plan that identifies potential impacts to transit operations, adjacent properties, and traffic on streets and alleys surrounding the Site, and outlines viable mitigation strategies.

3. Tab 3 – Return to the City

In this section, each proposer shall provide:

a. An annual cash lease payment schedule for the full term of the proposed lease (proposed cash lease payments must meet or exceed $614,300 annually for term of lease).

b. A description of the economic, fiscal, employment, and other tangible public benefits to be generated by the proposed development.

c. A description of any requested City assistance, including specific details such as the type of assistance, length of contract term, commencement and completion dates, etc. Any requests for City assistance must:

- Be limited to assistance the City can reasonably accommodate,
- Be clearly and quantitatively demonstrated to be less than the public benefit generated by the proposed development, and
- Fill a clearly described financial gap.

4. Tab 4 – Proposer’s Qualifications and Experience

In this section, each proposer shall:
a. Provide sufficient documentation to demonstrate the proposer meets the minimum qualifications listed in Section I (B).

b. Clearly identify the key individuals and companies comprising the proposed development team and each proposed development team member’s roles and responsibilities for the proposed development.

c. Describe the proposed development team’s experience successfully financing, developing, completing, and managing other projects of similar scale and complexity, including the roles and responsibilities of each proposed development team member for those projects. Proposers shall include contact information for at least one reference for each project listed.

d. Provide clear and compelling information to demonstrate the proposer’s financial capacity to successfully develop and complete the proposed development, including:

- A clear strategy to fund all proposed development costs, including specific details on all funding sources as well as the types and amounts of equity, financing, grants, and other funding sources for the proposed development.
- Documentation from potential lenders of interest.
- Documentation of other projects for which the proposer has successfully worked with the proposed equity/financing/granting entities.
- If tax credits are part of the proposed financing plan, evidence of proposer’s successful tax credit proposals.

IV. PROPOSAL EVALUATION

CEDD will perform an administrative review of proposals for responsiveness. This review will focus on accurate and complete submission of proposals based on the RFP requirements. CEDD reserves the sole right to determine the responsiveness of proposals.

A. Evaluation Panel

If applicable, the CEDD Director will appoint an evaluation panel to review the proposals and recommend a proposer to be awarded the contract resulting from this RFP. The CEDD Director may accept this recommendation and forward it to the Phoenix City Council or reject it.

The evaluation panel may interview all the proposers or a short list of proposers, or the evaluation panel may evaluate the proposals solely on the materials submitted by the proposal deadline. If a short list process is used, the evaluation panel will use the evaluation criteria established in this RFP to identify the proposers most likely to be successful in the evaluation process. The short-listed proposers may then be scheduled for interviews with the evaluation panel. If
interviews are conducted, the evaluation panel may consider information from the interviews that clarifies the materials submitted by the proposal deadline.

The evaluation panel will determine a consensus score for each evaluation criterion, which will then be added together to determine a total consensus score for each proposal.

B. Evaluation Criteria

The evaluation panel will review the information submitted in the proposals to address the requirements listed in the corresponding tabs of Section III (B). All responsive and responsible proposals will be evaluated based on the following criteria. This is a best-value-to-the-City procurement, which means the evaluation panel will look at all factors, not just financial return to the City, in selecting the recommended proposer.

1. Concept to Activate the Site (0-375 points)

2. Return to the City (0-325 points)

3. Proposer’s Qualifications and Experience (0-300 points)

V. GENERAL TERMS AND CONDITIONS OF PROPOSAL

A. Solicitation Transparency Policy

Commencing on the date and time this RFP is published, potential or actual proposers including their representatives, employees, agents, proposed partners, subcontractors, joint venturers, members, or any of their lobbyists and attorneys (collectively for this Section V (A) only, the proposer), shall only discuss matters associated with this solicitation with the Mayor, any members of City Council, the City Manager, any Deputy City Manager, or any department director directly associated with the solicitation (including in each case their assigned staff, except for the designated Procurement Officer) at a public meeting, posted under Arizona Statutes, until the resulting contract is awarded or all proposals are rejected and the solicitation is cancelled without any announcement by the Procurement Officer of the City’s intent to reissue the same or similar solicitation. As long as the solicitation is not discussed, proposers may continue to conduct business unrelated to this solicitation with the City. Proposers are also prohibited from contacting any evaluation panel members.

A proposer may discuss its proposal or this RFP with the Mayor and/or one or more members of the Phoenix City Council, provided such meetings are: 1) scheduled through the Procurement Officer identified on page 1; 2) conducted in person at 200 West Washington, Phoenix, Arizona; and 3) posted as open meetings with the City Clerk at least 24 hours prior to the scheduled meetings. The City Clerk will be
responsible for posting the meetings. The posted notice shall identify the participants and the subject matter, as well as invite the public to participate.

With respect to the selection of the successful proposer, the City Manager and/or City Manager's Office will continue the past practice of exerting no undue influence on the process. In all solicitations of bids and proposals, any direction on the selection from the City Manager and/or City Manager's Office and Department Head (or representative) to the evaluation panel or selecting authority must be provided in writing to all prospective proposers.

This policy is intended to create a level playing field for all proposers, assure contracts are awarded in public, and protect the integrity of the selection process. “To discuss” means any contact by a proposer, regardless of whether the City responds to the contact. The City interprets the policy as continuing through a cancellation of a solicitation until City Council award of the contract, as long as the City cancels with a statement that the City will reissue the solicitation. Proposers that violate this policy shall be disqualified. Additionally, should the procurement officer cancel this solicitation and announce the City's intent to reissue the same solicitation or issue a similar solicitation, any proposer disqualified from this solicitation process for violating the Solicitation Transparency Policy will also be disqualified from the subsequent solicitation.

B. Materials Submitted

All materials submitted by proposers shall become the property of the City and become a matter of public record available for review pursuant to Arizona law. Each proposer shall mark any information submitted as part of its proposal that the proposer deems confidential or proprietary (collectively Confidential Information). If the City receives a request to review or disclose such Confidential Information, the City will provide the proposer written notice of the request to allow the proposer the opportunity to obtain a court order to prevent the disclosure or review of such Confidential Information. The proposer must obtain and deliver to the Procurement Officer a court order within seven calendar days of the date of the City’s written notice. If no court order is issued and received by the Procurement Officer within the seven-day period, the City may disclose or allow the review of such Confidential Information. If a proposer intends to seek a Court Order to shield its Confidential Information, the protest period will be extended the same number of calendar days to allow for this process.

C. Award Recommendation

On the day the City posts the award recommendation at phoenix.gov/finance/businessopportunities/bid-awards-and-recommendations, the procurement file for this RFP will be available for proposers and the public to review. The procurement file consists of all proposals, the RFP and all addenda, advertising documents, agendas, meeting minutes, presentations (if any), signed
conflict of interest statements by evaluation panel members, and evaluation panel consensus scoring.

D. Negotiations

Once the award recommendation has been posted, the City may negotiate business terms with a proposer. The Procurement Officer will provide the recommended proposer with written authorization to negotiate with specific City staff. Communication between the recommended proposer and any City staff or City officials not authorized by the Procurement Officer will still be subject to the Transparency Policy listed in Section V (A).

The commencement of negotiations does not commit the City to accept all the terms of the proposal and negotiations may be terminated by the City at any time. These negotiations may result in minor or material changes to the proposal, including both the business terms and the proposed development. Successful negotiations will result in an award recommendation to the City Council and a “Letter of Intent” stating the City’s intent to enter a contract with the recommended proposer on specified business terms. Following required approvals, City-drafted contracts addressing business terms and performance benchmarks will be executed between the parties. FTA concurrence and/or approval is required before the City can enter into any contract for this Site.

City staff alone shall be responsible for negotiating business terms with recommended proposers. The City reserves the right to reject, in whole or in part, any or all proposals. The terms and conditions of any contract resulting from this RFP process are subject to approval by the Phoenix City Council.

E. Community Involvement

The recommended proposer must seek community input as needed and make reasonable efforts to address, incorporate or respond to community input.

F. City’s Reservation of Rights

The City reserves the right to take any course of action the City deems appropriate at the City’s sole and absolute discretion, which may include:

1. Waiving any defects or informalities in any proposal or proposing procedure;
2. Accepting or rejecting any or all proposals or any part of any or all proposals;
3. Canceling the RFP in part or in its entirety;
4. Reissuing the RFP with or without modification;
5. Negotiating with any qualified proposer;
6. Extending the deadline for proposals; and/or
7. Requesting additional information from any or all proposers.
In the event the recommended proposer is a joint venture and its partners are unable to agree on terms with each other, the City reserves the right to move forward in this process solely with the lead developer identified in the proposer’s Executive Summary.

G. City’s Right to Disqualify for Conflict of Interest

The City reserves the right to disqualify any proposer that fails to provide information or data requested herein or that provides materially inaccurate or misleading information or data. The City reserves the right to disqualify any proposer on the basis of any real or apparent conflict of interest that is disclosed by the proposals submitted or any other data available to the City. This disqualification is at the sole discretion of the City. By submission of a proposal hereunder, the proposer waives any right to object now or at any future time, before any body or agency, including but not limited to, the City Council, or any court, as to the exercise by the City of such right to disqualify or as to any disqualification by reason of real or apparent conflict of interest determined by the City.

Additionally, any proposer or any member or affiliate of a proposing team that currently contracts with the City must be in good standing for its proposal to be considered responsive. For the purpose of this RFP, good standing refers to compliance with all contractual provisions, including payment of financial obligations.

H. Preparation Costs

Under no circumstance will the City be responsible for any costs incurred by anyone in: 1) responding to this RFP; 2) in any subsequent follow up to the proposal; or 3) in any subsequent negotiations of a contract.

I. Additional Investigations

The City reserves the right to make such additional investigations as it deems necessary to establish the competence and financial stability of any proposer submitting a proposal, including, without limitation, information provided by former employees and/or creditors.

J. Proposer Certification and Affidavit

By submitting a proposal, each proposer certifies it has not paid or agreed to pay any fee or commission, or any other item of value contingent on the award of a contract to any employee, official or current contracting consultant of the City. Any proposer unable to comply with any required certifications may be disqualified.

In compliance with Arizona Revised Statutes §§ 1-501 and -502, the City shall require any successful proposer that submits its proposal as a sole proprietorship
or as an individual to complete the Affidavit of Lawful Presence prior to the award of any contract resulting from this process.

K. **Covenant Against Contingent Fees Paid to Proposer**

By submitting a proposal, the proposer certifies it has not employed or retained any person or company, other than a member of its proposed team or a bona fide employee working solely for the proposer, to solicit or secure the contract described in this RFP, and that no contract has been made to pay the proposer or any member of its team any fee, commission, percentage, brokerage fee, gift or any other consideration, contingent upon or resulting from the award or execution of such contract. For breach or violation of this certification, the City shall have the right to annul any contract entered into with a proposer as result of this RFP without liability, or in its discretion to deduct the contract price or consideration, or otherwise, recover the full amount of such fee, commission, percentage, brokerage fee, gift or contingent fee.

L. **No Gratuities**

Proposers shall not offer any gratuities, favors, or anything of monetary value to any official or employee of the City nor its advisors for the purposes of influencing this selection. Any attempt to influence the selection process by any means, other than disclosure of qualifications and credentials through the proper channels, shall be grounds for exclusion from the selection process.

M. **Protests**

A proposer that submits a proposal that is disqualified may challenge the disqualification by filing a protest within seven calendar days of the date of the City’s notice of disqualification.

An unsuccessful proposer may challenge an award recommendation by filing a protest within seven calendar days after the award recommendation has been posted at phoenix.gov/finance/business-opportunities/bid-awards-and-recommendations. Proposers that have had their proposals disqualified may not protest an award recommendation.

All protests must be in writing, filed with the Procurement Officer listed on page one, and include all of the following:

1. Name of the RFP challenged;
2. Name, address and telephone number of the protester;
3. Detailed statement of the legal and factual grounds of the protest including copies of relevant documents;
4. Form of relief requested; and
5. The signature of the protester or its legal representative.
The CEDD Director, or the Director’s designee, will not review any supplements or amendments to a proposer’s original protest or any additional protests submitted by the same proposer. The CEDD Director, or the Director’s designee, will issue a written decision within a reasonable period of the protest filing. The Procurement Officer may provide copies of the protest and the written decision to the proposer recommended for contract award.

VI. STANDARD CONTRACT PROVISIONS

The submission of a proposal in response to this RFP constitutes the agreement of the proposer that any contract resulting from this RFP will be prepared by the City. The submission of a proposal shall further constitute the agreement of the proposer that it will not insist on the use of standard contract agreements, documents or forms, and that it waives any demand for the use of its standard agreements. Pursuant to the City Charter, the language of the contract to be executed will be drafted under the supervision of the City Attorney and shall be the controlling document.

A. Indemnification

Proposers shall indemnify, defend, save and hold harmless the City and its officers, officials, agents, and employees (hereinafter referred to as “Indemnitee”) from and against any and all claims, actions, liabilities, damages, losses, or expenses (including court costs, attorneys’ fees, and costs of claim processing, investigation and litigation) (hereinafter referred to as “Claims”) for bodily injury or personal injury (including death), or loss or damage to tangible or intangible property caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of proposer or any of its owners, officers, directors, agents, employees or subcontractors. This indemnity includes any claim or amount arising out of or recovered under the Workers’ Compensation Law or arising out of the failure of such contractor to conform to any federal, state or local law, statute, ordinance, rule, regulation or court decree. It is the specific intention of the parties that the Indemnitee shall, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of the Indemnitee, be indemnified by proposers from and against any and all claims. It is agreed that the proposer will be responsible for primary loss investigation, defense and judgment costs where this indemnification is applicable. Incorporated into any contract resulting from this RFP will be the requirement that the proposer, at its sole cost and expense, shall and does hereby indemnify, defend and hold the City harmless from and against any challenge, whether administrative, judicial or otherwise, by any person or entity, to the City’s execution or performance under said contract, which indemnification shall survive the expiration or earlier termination of said contract.

B. Insurance Requirements

The proposer shall procure and maintain until all of its obligations have been discharged, including any warranty periods under the future contracts are satisfied,
insurance against claims for injury to persons or damage to property that may arise from or in connection with the performance of the work hereunder by the proposer, its agents, representatives, employees or subcontractors. Insurance requirements will be outlined within the contract that results from the selection of a successful proposal.

C. **Legal Worker Requirements**

The City is prohibited by A.R.S. § 41-4401 from awarding a contract to any contractor that fails, or whose subcontractors fail, to comply with A.R.S. § 23-214(A). Therefore, each proposer agrees by submitting a proposal that:

1. The proposer and each subcontractor it uses warrants their compliance with all federal immigration laws and regulations that relate to their employees and their compliance with § 23-214 (A).

2. A breach of a warranty under paragraph 1 shall be deemed a material breach of the contract and is subject to penalties up to and including termination of the contract.

3. The City retains the legal right to inspect the papers of the proposer or subcontractor employee(s) that work(s) on this contract to ensure that contractor or subcontractor is complying with the warranty under paragraph 1.

D. **Applicable Law**

Any and all disputes arising under any contract to be negotiated hereunder or out of the proposals herein called for shall be governed according to the laws of the State of Arizona, and the proposer shall agree that the venue for any such action brought to enforce provisions of the contract shall be in the State of Arizona.

E. **Organization Employment Disclaimer**

Any contract resulting from this RFP will not constitute, create, give rise to or otherwise recognize an agreement or relationship, partnership or formal business organization of any kind between the City and the proposer as contractor, and the rights and obligations of the parties shall only be those expressly set forth therein. The recommended proposer will be required to agree as part of any contract resulting from this process that no person supplied by it in the performance of the contract is an employee of the City, and further agree that no rights of the City’s Civil Service, Retirement or Personnel Rules accrue to any such persons. Any contracting party shall have the total responsibility for all salaries, wages, bonuses, retirement, withholdings, workmen’s compensation and occupational disease compensation insurance unemployment compensation, other benefits and taxes and premiums appurtenant thereto concerning such persons provided by such
E. Title VI Program and Assurances

The City fully endorses and supports the concept of equal business and employment opportunities for all persons, regardless of race, color, age, sex, religion, national origin, genetic information, marital status, disability, sexual orientation, or gender identity or expression. The City is committed to ensuring no person is discriminated against on the grounds of color, race, sex, national origin, age, or disability, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related legislation; and/or be denied the benefits of, or be subjected to discrimination under, any program or activity receiving federal financial assistance. The successful proposer shall adopt and incorporate the following nondiscrimination policy statement in all contractual arrangements (28 Code of Federal Regulations [CFR] part 42.401, 28 CFR Part 50.3, and 49 CFR Part 21):

The successful proposer shall not exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in, connection with the award and performance of this contract covered by Title VI Program on the basis of race, color, or national origin. In fulfilling program requirements, the successful proposer will not, directly or through contractual or other arrangements, use criteria or methods of selection that have the effect of defeating or substantially impairing accomplishment of the objectives of the Title VI Program with respect to individuals of a particular race, color, or national origin. The successful proposer further agrees to meet the non-discrimination requirements with respect to the award and performance of any sub-agreement, management contract or subcontract, purchase or lease agreement, or other agreements covered by this subpart.

G. Fostering Small Business Participation

The City extends to all proposers an equal economic opportunity to compete for City business and strongly encourages the participation of small businesses. The City has a longstanding commitment to advancing the economic growth of small businesses through its business diversity programs. The successful proposer shall provide a Small Business Participation Plan, within 90 days following contract execution, for City approval; such approval must not be unreasonably withheld. The Small Business Participation Plan must contain strategies to foster small business participation and information concerning the small businesses, including names of firms and addresses. Every year on the anniversary date of the contract, the successful proposer shall provide the City any material changes to its approved Plan. To locate small businesses, visit [https://phoenix.diversitycompliance.com](https://phoenix.diversitycompliance.com) or call the City's Equal Opportunity Department at 602-262-6790 for assistance.
Assurances

The undersigned proposer hereby submits to the City of Phoenix (City) the enclosed proposal based upon all terms and conditions set forth in the City’s Request for Proposals (RFP) and referenced materials. Proposer further specifically agrees hereby to provide services in the manner set forth in the proposal submitted by the proposer.

The undersigned proposer acknowledges and states, under penalty of perjury, as follows:

1. The City is relying on proposer’s submitted information and the representation that proposer has the capability to successfully undertake and complete the responsibilities and obligations submitted in its proposal and in the resulting agreement.

2. The City has the right to make any further inquiry it deems appropriate to substantiate or supplement information supplied by proposer.

3. Proposer has read and fully understands all the provisions and conditions set forth in the RFP documents, upon which its proposal is based.

4. The forms and information requested in the RFP are complete and made part of the proposal. The City is not responsible for any proposer errors or omissions.

5. This proposal may be withdrawn by requesting such withdrawal in writing at any time prior to the proposal deadline but may not be withdrawn after such date and time.

6. The City reserves the right to reject any and all proposals and to accept the proposal that, in its judgment, will provide the best quality development to the City.

7. This proposal is valid for a minimum of 120 days after the RFP proposal deadline.

8. All costs incurred by proposer in connection with this proposal shall be borne solely by proposer. Under no circumstances shall the City be responsible for any costs associated with proposer’s proposal or the RFP process.

9. Proposer has not in any manner, directly or indirectly, conspired with any person or party to unfairly compete or compromise the competitive nature of the RFP process.

10. The contents of this proposal have not been communicated by the undersigned nor by any employee or agent to any other person engaged in this type of business prior to the official opening of this proposal.

11. To the best of the proposer’s knowledge, the information provided in its proposal is true and correct and neither the undersigned proposer nor any partner, corporate officer or managing employee have ever been convicted of a felony or a crime involving moral turpitude.
Legal Status

1. Proposer intends to operate the business as (check one):

   Corporation* (   ) Non-Profit 501(c)(3) (   )
   Government Entity (   ) Partnership* (   )
   Limited Liability Corporation* (   ) Sole Proprietorship (   )
   Other (Please describe: ____________________________) (   )

Identify the members, if LLC, partners, if a partnership, or officers, if a corporation, of the proposer (add lines as needed).

For the purpose of this RFP, addenda and exhibits, any questions regarding the principals are referring to the officers, partners and members as disclosed.

2. In the past 10 years, have you personally, or any business with which you have been involved, been declared bankrupt, filed a petition in any bankruptcy court, filed for protection from creditors in bankruptcy court, or had involuntary proceedings filed in bankruptcy court? If "Yes," provide date, court jurisdiction, case name, case number, amount of liabilities, amount of assets and the status of each occurrence. Yes (   ) No (   )

3. Has the proposer or any of its principals or its principal's affiliates been declared to be in default under any obligation to or contract with the City? If "Yes," please provide details concerning the nature of the default, including the City contract number. Yes (   ) No (   )

4. Are there any pending liens, claims or litigation in excess of $500,000 involving proposer, or any corporation or other entity that has, directly or indirectly, a controlling interest in the proposer, or any subsidiary of the proposer or other entity in which the proposer has a controlling interest or any of the proposer’s principals, officers, or directors? If "Yes," provide detailed information regarding complaints. Yes (   ) No (   )

5. Has the proposer, or any corporation or other entity that has, directly or indirectly, a controlling interest in the proposer, or any subsidiary of the proposer or other entity in which the proposer has a controlling interest or any of the proposer’s principals, officers, or directors, been involved in any lawsuits in the past 10 years? If "Yes," provide list. Yes (   ) No (   )

6. Has the proposer’s or any of its principals or its principals’ affiliate’s contracts been terminated prior to their expiration terms, voluntarily or involuntarily, within the last 10 years? If "Yes," provide name, location, and date of the contract(s). Yes (   ) No (   )

7. Has the proposer, or any corporation or other entity that has, directly or indirectly, a controlling interest in the proposer, or any subsidiary of the proposer or other entity in which the proposer has a controlling interest or any of the proposer’s principals, officers, or directors ever been barred from bidding on federal, state, or local government contracts? If "Yes," provide the current status of such suspension or debarment proceedings. Yes (   ) No (   )
References

Proposer shall furnish the names and contact information for 3 clients for whom the proposer is furnishing or has furnished services similar to those described in this RFP. Do not list City of Phoenix employees or officials as references.

1. Company and Reference Name: ________________________________
   Telephone and E-Mail: __________________________________________

2. Company and Reference Name: ________________________________
   Telephone and E-Mail: __________________________________________

3. Company and Reference Name: ________________________________
   Telephone and E-Mail: __________________________________________

Signature(s)

Proposer’s Legal Name\(^1\): _________________________________________

\(^1\)The proposer must be authorized to transact business in Arizona and be in good standing prior to submitting this proposal.

Printed Name of Authorized Representative*: ____________________________

Title: ________________________________________________________________

Business Mailing Address: _____________________________________________

Telephone and Email Address: __________________________________________

Signature: ____________________________________________________________

*Proposal must be signed by an individual authorized to contractually bind the proposer.

Name of Joint Venture Partner (if applicable): ______________________________

Printed Name of Authorized Representative*: _____________________________

Title: ________________________________________________________________

Business Mailing Address: _____________________________________________

Telephone and Email Address: __________________________________________

Signature: ____________________________________________________________

*Proposal must be signed by an individual authorized to contractually bind the joint venture partner.

NOTARIZED

Signed and sworn before me this _____, day of __________________________ , ________

Notary Signature: ____________________________    Affix Seal: ____________________

My Commission Expires: __________________________
Attachment B
CONFLICT OF INTEREST AND SOLICITATION TRANSPARENCY DISCLOSURE FORM

Each proposer shall complete, sign, and submit this form with its proposal. Any proposal received without this completed and signed form will be disqualified as non-responsive.

1. First Name, Middle Initial, Last Name, Suffix of Proposer’s Authorized Representative (person submitting this disclosure form and submitting the proposal)

___________________________________________________________________

2. Contract Information

Central Station RFP-CED18-CST

3. Name of individual(s) or entity(ies) seeking a contract with the City (i.e. parties to the Contract)

___________________________________________________________________

___________________________________________________________________

4. List all individuals(s) or entity(ies) that are partners, parent companies, joint venturers, or subsidiaries of the individual or entity listed in Question 3. Please include all board members, executive committee members, and officers for each entry. If not applicable, list “N/A.”

___________________________________________________________________

___________________________________________________________________

5. List all individuals or entities that will be subcontractors on this Contract, including each business name and the owner’s name, or list “N/A” if no subcontractors will be used on this Contract or “TBD” if subcontractors have not yet been identified.

___________________________________________________________________

___________________________________________________________________
6. List all attorneys, lobbyists, or consultants retained by any individuals listed in the answers to Questions 3, 4, or 5, assisting with this proposal and/or with securing the contract resulting from this solicitation. If none, list “none.”

___________________________________________________________________
___________________________________________________________________

7. Disclosure of Conflict of Interest:

Is the proposer or the proposer’s authorized representative aware of any fact(s) with regard to this solicitation or the resulting contract that would raise a “conflict of interest” issue under City Code Section 43-34? City Code Section 43-34 reads:

“An elected City official or a City employee shall not represent any person or business for compensation before the City regarding any part of a procurement, including any resulting contract, if during the time the elected official is or was in office or the employee is or was employed by the City such elected official or employee played a material or significant role in the development of the solicitation, any other part of the procurement, or the contract award.”

☐ The proposer and the proposer’s authorized representative are not aware of any conflict(s) of interest under City Code Section 43-34.

☐ The proposer or the proposer’s authorized representative is aware of the following potential or actual conflict(s) of interest:

___________________________________________________________________
___________________________________________________________________

8. Notice Regarding Prohibited Interest in Contracts:

Arizona Revised Statutes (A.R.S) Sections 38-501 through 38-511 and the Phoenix City Charter and Code prohibit public officers or employees, their close relatives, and any businesses they, or their relatives, own from: (1) representing before the City any person or business for compensation; (2) doing business with the City by any means other than through a formal procurement; and (3) doing business with the City without disclosing that the person has an interest in the contract. This prohibition extends to subcontracts on City contracts and also applies to parent, subsidiary, or partner businesses owned by a public officer or employee.

Although any contract in place at the time a person becomes a public officer or employee may remain in effect, the contract may not be amended, extended,
modified, or changed in any manner during the officer’s or employee’s city service without following city administrative regulations.

Is the proposer or the proposer’s authorized representative aware of any fact(s) with regard to this solicitation or the resulting contract that would raise a “conflict of interest” issue under A.R.S. Sections 38-501 through 38-511?

☐ The proposer and the proposer’s authorized representative are not aware of any conflict(s) of interest under A.R.S. Sections 38-501 through 38-511.

☐ The proposer or the proposer’s authorized representative are aware of the following conflict(s) of interest:

________________________________________________________________
________________________________________________________________

9. Solicitation Transparency Policy (No Contact with City Officials or Staff During RFP Process) Acknowledgements:

☐ The proposer and the proposer’s authorized representative understand that a person or entity seeking or applying for a city contract, or any other person acting on behalf of that person or entity, is prohibited from contacting City officials and employees, other than the listed Procurement Officer, regarding a business opportunity after a solicitation has been posted.

☐ This “no-contact” provision only concludes when the contract resulting from this solicitation is awarded at a City Council meeting. If contact is required with City official or employees, the contact will take place in accordance with procedures established by the City. Violation of this prohibited contacts provision, set out in City Code Sections 2-190.4 and 43-36, as well as in Section V of this solicitation, by a proposer, or its agents, will lead to disqualification.

10. Fraud Prevention and Reporting Policy Acknowledgement:

☐ The proposer and the proposer’s authorized representative acknowledge that the City has a Fraud Prevention and Reporting Policy and takes fraud seriously. The proposer or the proposer’s authorized representative shall report fraud, suspicion of fraud, or any other inappropriate action to the Phoenix Integrity Line at 602-261-8999 or 602-534-5500 (TDD); or via email to aud.integrity.line@phoenix.gov.

The purpose of the fraud policy is to maintain the City's high ethical standards. The policy includes a way for business partners to report wrongdoing or bad behavior.
Suspected fraud should be reported immediately to the Phoenix Integrity Line. The City has adopted a zero-tolerance policy regarding fraud.

OATH

The proposer’s authorized representative affirms the statements contained in this form, including any attachments, to the best of my knowledge and belief are true, correct, and complete. Should any of the answers to the above questions change during the solicitation process or the resulting contract, particularly as it relates to any changes in ownership, the proposer agrees to update this form with the new information within 30 days of such changes. Failure to do so may result in the disqualification of a proposal or be deemed a breach of contract resulting from this solicitation.
1. Debarment and Suspension Certification

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<tr>
<th>Choose one alternative:</th>
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<tr>
<td>☐ The Proposer certifies to the best of its knowledge and belief that it and its principals:</td>
</tr>
<tr>
<td>1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;</td>
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<tr>
<td>2. Have not within a three-year period preceding this Proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or Contract under a public transaction; violation of federal or state antitrust statutes or commission or embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;</td>
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<tr>
<td>3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in Paragraph 2 of this certification; and</td>
</tr>
<tr>
<td>4. Have not within a three-year period preceding this Proposal had one or more public transactions (federal, state or local) terminated for cause or default.</td>
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OR

| ☐ The Proposer is unable to certify to all of the statements in this certification, and attaches its explanation to this certification. (In explanation, certify to those statements that can be certified to and explain those that cannot.) |
| The Proposer certifies or affirms the truthfulness and accuracy of the contents of the statements submitted on or with this certification and understands that the provisions of Title 31 USC § Sections 3801 are applicable thereto. |

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<th>Executed in [insert city and state]:</th>
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<td>Company Name:</td>
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<th>Authorized signature and Title</th>
<th>Date</th>
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2. **Buy America Certification**

Choose one alternative:

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<th><strong>Certificate of Compliance</strong></th>
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<tr>
<td>The Proposer hereby certifies that it will comply with the requirements of 49 USC Section 5323(j)(2)(C), Section 165(b)(3) of the Surface Transportation Assistance Act of 1982, as amended, and the regulations of 49 CFR 661.11:</td>
</tr>
<tr>
<td><strong>Name and title:</strong></td>
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<td><strong>Company:</strong></td>
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<th>Authorized signature</th>
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<tr>
<th><strong>Certificate of Non-Compliance</strong></th>
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<tr>
<td>The Proposer hereby certifies that it cannot comply with the requirements of 49 USC Section 5323(j)(2)(C) and Section 165(b)(3) of the Surface Transportation Assistance Act of 1982, as amended, but may qualify for an exception to the requirements consistent with 49 USC Sections 5323(j)(2)(B) or (j)(2)(D), Sections 165(b)(2) or (b)(4) of the Surface Transportation Assistance Act, as amended, and regulations in 49 CFR 661.7.</td>
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<th>Authorized signature</th>
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3. Lobbying Certification

The Proposer certifies, to the best its knowledge and belief, that:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of a federal department or agency, a member of the U.S. Congress, an officer or employee of the U.S. Congress, or an employee of a member of the U.S. Congress in connection with the awarding of any federal Contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification thereof.

2. If any funds other than federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal Contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, “Disclosure Form to Report Lobbying,” in accordance with its instruction, as amended by “Government-wide Guidance for New Restrictions on Lobbying,” 61 Fed. Reg. 1413 (1/19/96).

3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, USC § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

THE PROPOSER, __________________________________________________________, CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF EACH STATEMENT OF ITS CERTIFICATION AND DISCLOSURE, IF ANY. IN ADDITION, THE PROPOSER UNDERSTANDS AND AGREES THAT THE PROVISIONS OF 31 USC §§ 3801 ET SEQ. APPLY TO THIS CERTIFICATION AND DISCLOSURE, IF ANY.

Name of Proposer’s authorized official: _______________________________________

Title: ___________________________________________________________________

Authorized signature                                                                 Date

Per paragraph 2 above, complete and submit Standard Form–LLL, “Disclosure Form to Report Lobbying,” if applicable.
Name of proposer: _______________________________________

Each proposer must complete and submit this form with its proposal.

- Gross Square Footage (SF): __________________
- Commercial SF: ____________________________
- Office SF: _________________________________
- Residential SF: _____________________________
- Other SF (detail): __________________________

- Number of Residential Units: _________________
- Number of Units by Residential Type:
  - Rental Units: ______________
  - For Sale Units: ______________
- Number of Units by Market Type:
  - Affordable/Income-Restricted: ___________
  - Market Rate: ______________
  - Mixed-Income: ______________

- Number of Hotel Rooms: _____________________

- Number of Parking Spaces: _________________
  - Number of Parking Spaces for Public Use: ______________

- Number of Buildings: _______________________
- Building Height(s) (feet and stories): ______________

- Estimated Number of Construction Jobs: ______________
- Estimated Number of Permanent Jobs: ______________

- Estimated Value of Project: _____________________
Attachment E
Site Maps

Legend
- Site Boundaries (approximate)
- Light Rail Stop
- Bus Route and direction of travel
- Bus Stop with Bus Route Name
- Number of Weekday Trips per Segment (As of March 23, 2018)