



**REQUEST FOR DEVELOPMENT TEAM QUALIFICATIONS  
For  
A MULTIPURPOSE SPORTS AND EVENTS CENTER**

**Distribution/Advertisement: 04/11/2013**

**Questions Submittal Deadline: 04/30/2013**

**Submittal Deadline: 05/15/2013**

**Contact:**

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**Sealed written responses must be received no later than the date and location indicated above for the responses. Submittal of response by fax or e-mail is not acceptable.**

**STATEMENTS OF QUALIFICATIONS (“SOQs”) NOT RECEIVED BY THE DUE DATE AND TIME SPECIFIED WILL BE REJECTED**

**UCR REQUESTS THAT ALL INTERESTED DEVELOPMENT TEAMS E-MAIL [Ccenter@ucr.edu](mailto:Ccenter@ucr.edu) AS SOON AS POSSIBLE TO REGISTER THEIR INTEREST IN THIS PROCESS AND TO ENSURE THEY TIMELY RECEIVE ADDENDA TO THIS RFQ.**

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**INTRODUCTION**

The Regents of the University of California, Riverside campus (“UCR”) is seeking a developer-led team (“Development Team”) to plan, design, finance, construct, own, market, maintain and operate a multipurpose sports and events center on University-owned land (“C Center”).

From responses to this Request for Qualifications (“RFQ”), UCR will shortlist Development Teams to respond to a subsequent Request for Proposals (“RFP”) process from which UCR intends to select a Developer with whom to negotiate a ground lease and related agreements to facilitate the development of the C Center .

Deadline to submit a response to this RFQ is May 15, 2013 by 2:30 p.m.

**SECTION I  
PURPOSE OF SOLICITATION**

1.0 UNIVERSITY OF CALIFORNIA, RIVERSIDE VISION & GOALS

UCR is seeking a Development Team to plan, design, finance, construct, own, market and operate a multi-purpose sports arena that will support UCR's need for high quality facilities of sufficient capacity capable of accommodating a variety of campus and community program uses. The core facilities required for these programs include a multipurpose sports and events center, service space, loading and support space, office and media space and associated parking. The successful Development Team will be granted a non-subordinated financeable ground lease to construct and operate the C Center.

UCR's C Center is an event center that will accommodate commencements, convocations, court sports, conventions, community engagement, concerts, and more.

The C Center promises to fill a void in athletic and performance facilities in the Riverside community, with a "just-right" capacity for mid-size sporting events, musical performances, speaking engagements and conferences.

"Anchor events" will include UCR's men's and women's basketball and volleyball, convocation, and commencement, and the facility will also be utilized in partnership with community, regional, state, and national entertainment, event, and conference organizers, producers, and promoters.

UCR is seeking cost-effective facilities developed by the private sector that create revenue, serve the range of uses outlined herein and are compatible with: UCR's academic mission; campus development guidelines; sustainable design initiatives. The development must be well integrated with local land uses while providing a valuable amenity for the surrounding community.

The C Center shall be located on the site identified on the final page of this document, a site on UCR's west campus which is highly accessible and features good freeway visibility as described and depicted in Section VII.

A. Development Objectives

The C Center shall provide a multipurpose sports and events center that can support UCR and community-related activities; NCAA I basketball and volleyball and other sports; and provide for the outside rental of the facility for concerts, performances, conferences and other events. UCR's minimum requirements are for a facility with 5,000 seats to accommodate campus functions (e.g. convocation, commencement, basketball, volleyball, etc.) of approximately 50 days in a calendar year with the potential to expand at a negotiated number of

days. The C Center is required to have moveable seating for additional 2,500 – 3,000 seats to accommodate less frequent campus events (e.g. commencement, convocation, etc.). In addition, the facility needs to provide amenities such as locker rooms (sufficient to support Big West Conference tournaments), office space, suitably sized storage space, and appropriate concession space as campus amenities. The facility must also provide appropriate loading docks, service delivery capabilities, and support modern media / broadcast requirements.

UCR is open to considering larger facilities (up to a maximum of 8,000 seats) if they can be financially justified through the generation of outside revenues from various sources such as rentals, concessions, naming rights, etc. The C Center will include parking of approximately 1,560 spaces. UCR will encourage accommodation of mixed uses (retail, service) in and around the C Center as appropriate.

*Please note: UCR considers the C Center a Multipurpose Sports and Event Center (MPSEC) and refers to such facilities by this acronym throughout this document.*

#### 1.1 ROLE OF DEVELOPMENT TEAM

UCR is seeking a highly qualified, at risk Development Team led by a developer to plan, design, finance, construct, own, market, maintain and operate the C Center. A key component of this team will be a completion guarantee for the C Center from a credit worthy entity or provision of a performance or completion bond. The successful Development Team will demonstrate strong successful relevant experience with similar MPSECs, financial capacity, and sensitivity to the UCR's Academic Plan (UCR 2020), Long Range Development Plan (LRDP) Amendment 2 and athletic plan; and local community concerns. Evidence of ability to finance, and to undertake and complete the C Center is crucial to a successful submission. Joint ventures or partnerships formed for the purpose of strengthening team qualifications are acceptable and are encouraged. The Development Team must include an experienced developer and such disciplines as a licensed architect, licensed contractor, and a firm experienced with event center operations, management, marketing and maintenance.

The Development Team should also include expertise in maximizing creative opportunities such as naming rights and licensing to raise additional funds.

#### 1.2 DEAL STRUCTURE AND UCR CONSIDERATION

UCR anticipates entering into an exclusive negotiating agreement (ENA) and subsequently a long term non-subordinated financeable ground lease with the developer of the Development Team selected at the end of the RFP process. The ground lease will

have an initial term of thirty (30) years, with possible extensions not to exceed 65 years; exact term of which will be negotiated.

Development Team's consideration for the ground lease shall consist of the planning, design, finance, construction, marketing, maintenance, and operation of the C Center, possible sale on naming rights, and UCR's use of the C Center for a specified number of events, which UCR currently estimates at 50 events per year. At the end of the ground lease the improvements will revert to the University.

## SECTION II UCR BACKGROUND

### 2.0 UCR HISTORY AND GROWTH

The 1,127-acre UCR campus is located 1.5 miles east of downtown Riverside and is bisected by the I-215/SR-60 freeway. The 610 acres east of the freeway include the undergraduate academic core and most of the existing campus facilities; the 517 acres west of the freeway includes agriculture research fields and support facilities, a large parking lot, administrative facilities (Highlander Hall and Human Resources), the University Extension (UNEX) facility, and International Village student housing. After over a decade of significant growth, UCR's enrollment is now approximately 21,000 students.

UCR's current academic offerings include undergraduate and graduate degree programs through the College of Humanities, Arts, and Social Sciences; the College of Natural and Agricultural Sciences; the Bourns College of Engineering; the School of Business Administration; and the Graduate School of Education. In 2008 the academic programs for the School of Medicine and the School of Public Policy were approved. The School of Medicine's charter class is scheduled for August 2013, while the School of Public Policy's first class is Fall 2014.

### 2.1 COMMUNITY CONTEXT

UCR is situated in the heart of the "Inland Empire"; an area that includes western Riverside and San Bernardino counties and that has become one of the fastest growing areas in California (See Exhibits in Section VII). This growth has brought an increasingly diverse and multicultural population to the region with resulting diversity in business and industry development in the surrounding communities. UCR serves as one of the most important educational and cultural resources for the area, and has historically enjoyed local and regional community support for its instruction, research and community service mission. The campus annually contributes approximately \$1.5 billion to the regional economy. The Campus has experienced significant growth over

the past decade. The UCR LRDP projects additional growth from the current 21,000 students to 25,000 by 2020.

The campus is surrounded by single and multifamily residential neighborhoods. Retail and commercial office buildings are located to the north, south and west. The campus is served by Riverside Transit Authority (RTA) busses, and commuter rail to metropolitan Orange and Los Angeles Counties is available from down town Riverside.

## 2.2 UCR ATHLETICS: HOME OF THE HIGHLANDERS

Highlander athletics dates back to the University's inception in the mid-1950s. Today, the Highlanders compete in 17 sports at the NCAA Division I level, the highest level of collegiate competition in the country, in the Big West Conference, a group of nine schools based in California and Hawaii. UCR has NCAA post-season appearances in the sports of Baseball, Women's Basketball, Women's Soccer, Men's Golf, Men's and Women's Cross Country and Men's and Women's Track and Field.

The goals of Intercollegiate Athletics at UCR are to create a program that:

- Enhances the reputation of UCR by striving for athletic and academic excellence.
- Provides student-athletes with the opportunity for growth outside the classroom.

The student-athletes experiences on the practice field, the competition field and in the classroom combine to create a well-rounded individual with a dedication to integrity, teamwork, excellence, personal growth and individual respect. Student-athletes at UCR are held to the same or higher academic standards than ordinary students, abiding by the rules and restrictions of the NCAA and Big West, in addition to the rules of UCR. Highlander athletes often have higher GPA's than their non-athlete counterparts.

### **SECTION III OVERVIEW OF TWO-STAGE SOLICITATION PROCESS**

The procurement process for a Development Team will be through a RFQ Stage and a RFP Stage that seeks specific submissions for programming, design, financing, construction, as well as marketing, maintenance and operation of the C Center. If only one qualified Development Team provides a responsive request to the RFQ, UCR reserves the right to immediately enter into an ENA with that Development Team, or to issue an expedited RFP and to immediately pursue the ENA process.

The UC Board of Regents approval will be required for approval of a ground lease for the selected Development Team.

### 3.0 RFQ

The RFQ process will identify highly qualified Developer Teams with experience in the development, design, construction, maintenance and/or operation of comparable facilities, who are interested in contracting with UCR to program, design, construct, finance, market, maintain and operate the C Center to best meet UCR's programmatic requirements, athletic objectives, and budget. For this purpose, comparable facilities include, but are not limited to: sports arenas capable of accommodating a variety of competitions (e.g. NCAA Basketball, Volleyball, professional wrestling, etc.), performance venues of at least 5,000 seats, and conferencing facilities. Development Teams are asked to provide background on experience, resources and expertise needed to design and construct a successful MPSEC on time and on budget. Past development, design, construction, maintenance and/or operation experience, especially with similar types of MPSECs, will be a critical factor in evaluating the RFQ responses. At a minimum, the submittal shall identify the lead "at risk" firm, the lead planning and design firm (s) and the individuals proposed for this project, and a team with expertise in event center maintenance operations and the individuals proposed for this project. The submittal should indicate those individuals specific experience with MPSEC type projects. The "at risk" entity's current financial capacity, ability to secure a Completion Guarantee and ability to provide financing will be important factors in determining the most qualified team.

### 3.1 SELECTION CRITERION

Key criteria for RFQ evaluations will include the following qualifications and experience of the team:

1. Demonstrated experience to successfully design and construct similarly sized events facilities and demonstrate the best design philosophy and approach for the C Center.
2. Demonstrated ability to produce high quality and cost effective architectural designs that are sensitive to program requirements for MPSECs and exhibit flexibility and an imaginative attitude toward solving design problems.
3. Demonstrated financial ability to construct MPSECs and provide for financing.
4. Demonstrated knowledge and a proven track-record with the maintenance and operations of MPSECs, including the demonstrated ability to ensure revenue growth, control costs, and thus ensure a growing, profitable operation over time.
5. Demonstrated ability to perform successful community engagement involving large scale development, especially MPSECs.

6. Demonstrated ability to deliver the C Center in a manner that meets or exceeds all applicable UC Policies (i.e. Seismic, Sustainability, etc.)
7. Feedback regarding the West Campus proposed site identified in Section VII.

UCR may select Developer Teams that meet the minimum qualifications established in Section IV to participate in an interview with the C Center Committee to discuss their vision, qualifications and C Center approach. The selection will be based upon the merits of a team's qualifications, preliminary vision to support the architectural, programmatic, financial, construction, operational, maintenance and marketing goals and aspirations of the C Center and their performance in the interview. The goal is to then select three teams to proceed to the RFP stage.

The Development Teams selected from the RFQ stage will be invited to participate as Finalists in a subsequent RFP stage. In addition, Development Teams will also be required to review and comment on a draft Term Sheet that outlines the key contractual terms and conditions with the University.

### 3.2 REQUEST FOR PROPOSAL (RFP)

In the RFP stage, UCR will require the pre-qualified Finalist Development Teams to submit building and site design drawings to an early schematic level of detail, based upon an Architectural Program and C Center Budget provided with the RFP documents. The C Center Committee with assistance from other Advisory Groups will evaluate the quality of the designs submitted against the design goals for the C Center and for program adherence. The pre-qualified Finalist Development Teams will be asked to submit a cost estimate with their designs that demonstrate the design proposal submitted works within their financing, budget and design parameters for the C Center and to provide a detailed C Center management plan from construction through operations for the facility post-completion (additional details concerning these submission requirements will be provided within the RFP). Further considerations at the RFP stage will be an evaluation of the pre-qualified Finalist Development Teams' proposals, plans and commitments for revenue generation activities from and marketing of the C Center to offset the costs of financing, maintenance and operations. UCR will reserve the right to request interviews and a "Best and Final Offer" from the Finalists after initial RFP submissions have been received.

The proposal representing the best overall value to UCR will be selected and the winning Developer Team will be submitted for approval by the UC Office of the President to enter into an Exclusive Negotiation Agreement (ENA) with UCR for the design, financing and construction, and maintenance and operation of the C Center.

Please note that these evaluation criteria are subject to change and will be finalized at the time that UCR releases the RFP.

## SECTION IV RFQ SUBMITTAL REQUIREMENTS

**UCR REQUESTS THAT ALL INTERESTED DEVELOPMENT TEAMS E-MAIL [Ccenter@ucr.edu](mailto:Ccenter@ucr.edu) AS SOON AS POSSIBLE TO REGISTER THEIR INTEREST IN THIS PROCESS AND TO ENSURE THEY TIMELY RECEIVE TIMY ADDENDA TO THIS RFQ.**

**To register please e-mail ([Ccenter@ucr.edu](mailto:Ccenter@ucr.edu)) the following:**

- 1) Contact names (list 2)**
- 2) Phone numbers**
- 3) Email addresses**
- 4) Mailing address.**

Please provide the following information in your submittal of your Statement of Qualifications (SOQs):

### 4.0 LETTER OF INTEREST

Indicate why the Development Team is qualified for this C Center project, specific relevant experience of the Development Team members specifically proposed for the C Center project, and team's interest in the C Center, and any comments or feedback regarding the West Campus site identified in Section VII.

### 4.1 DEVELOPER INFORMATION

Identify the entity that would be the developer. Include the developer's name; its legal status; employer identification number; address; full names of the developer's officers, their addresses, and brief biographical summaries for the individuals proposed for this project. If the C Center manager and other key people will be other than the developer's officers, provide the names, addresses and brief biographical summaries for the proposed C Center manager and key personnel. Additionally, note the length of time key leadership and individuals who will be working on this MPSEC have been with the company. If the developer is proposed to be a joint venture or partnership, provide the above information for each entity comprising the joint venture or partnership.

Disclose any recent or currently outstanding legal claims in excess of \$100,000 against the developer or any key personnel, including the source of such claims, their amount, and status. Disclose any criminal convictions of any key employees other than simple traffic convictions.

### 4.2 DEVELOPMENT TEAM

Identify other members of the proposed team (firm names and specific team members) including design professionals, management group(s), construction contractor(s), risk

managers, financial brokers and any other applicable groups or individuals required to program, design, construct, operate, maintain, market and manage the C Center. Describe the qualifications and experience of each with this type of MPSEC.

#### 4.3 PREVIOUS DEVELOPMENT EXPERIENCE

Provide evidence of the Development Team and/or its key members having successfully undertaken other MPSECs with at least 5,000 and additional 2,500-3,000 moveable seats. Describe the background and experience of the entity and its principals in undertaken, the specific qualifications of individuals who will be assigned to the C Center project, and include brief descriptions of similar MPSEC's completed and under construction; a statement regarding the duration of the developer's financial and operational involvement with each such MPSEC following completion; and the name, address, and telephone numbers of principal investors, architect, general contractor, operator and principal consultants. Include the cost history of similar events centers in meeting construction budgets, operating budgets, debt coverage and delivery dates and where they differed from the pre-construction proformas.

The Development Team and/or its project members show evidence of achieving high quality and affordability within the varying markets it has entered and should identify and describe awards it/they has received for MPSECs completed in the last ten (10) years. Additional consideration will be given to those Development Teams with favorable experience on similar MPSECs in public higher education, especially in California. Developer shall define and describe their experiences with California and Federal codes and inspection processes; experience with the State Fire Marshal and local fire officials; and understanding of higher education issues and processes within this State.

#### 4.4 FINANCIAL CAPABILITY TO EXECUTE THE C CENTER PROJECT

Provide evidence of the developer entity's financial condition including company and, if relevant, personal financial statements. Provide financial and banking references and telephone numbers of contacts for such references, together with written authorization permitting UCR to confirm financial information with such references. UCR may request a review of such submissions by a Certified Public Accountant or its external auditors.

Provide a statement detailing the different methods of financing the Developer Team is capable of delivering including, but not limited to, those alternatives in described in the section "Financing", above. The statement should include examples, drawn whenever possible from the MPSEC experience described under 4.2, above and, as appropriate, include a general description of the developer entity's expected return on equity, interim and permanent financing options capacity, and the amount of construction risk it is willing to undertake.

#### 4.5 MPSEC MANAGEMENT EXPERIENCE

Provide a statement of commitment to manage (operate, maintain and market) the

completed MPSEC directly, or to manage it by contract with a management firm. If the completed MPSEC will be managed by contract with a management firm, identify the firm, describe prior joint MPSECs with that firm, and the duration of your previous association. Include at least three business references for the firm which may be contacted by UCR. Provide evidence of the developer's (or management firm's) MPSEC management experience and expertise, and the ability to maintain high standards of maintenance and operations.. Include descriptions of other MPSEC's currently managed directly or by contract, highlighting any that demonstrate how the developer or the property management firm has adjusted its management programs, budgets and methods to better accommodate campus and/or market changes after the multipurpose sports and events center was delivered. Identify whether any of the key personnel offered for this C Center were involved with the MPSECs mentioned above.

#### 4.6 ADDITIONAL REQUIRED RESPONSES

Respond to the following questions, referencing as appropriate your preceding responses:

- a. Describe your experience in developing different types of construction of MPSECs with parking and with sustainable design, construction and operation and maintenance components.
- b. The Development Team selected will be required to agree to a policy of nondiscrimination against any subcontractor, consultant, employee, or applicant for employment because of race, religion, color, sex, handicap, or national origin. Such nondiscrimination will include: employment, upgrading, demotion, transfers, recruitment, recruitment advertising, layoff, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. Include a statement acknowledging this requirement.
- c. Include a statement acknowledging that UCR anticipates negotiating a reimbursement agreement with the Development Team as part of the ENA for the Planning Stage. Identify any terms of such reimbursement you believe would be a prerequisite to your participation.
- d. Include a statement acknowledging the ground lease terms. Identify any such terms you believe would make it difficult to consummate a ground lease to develop the C Center site, and why they would create a difficulty.

### **SECTION V SUBMITTAL PROCEDURES AND NEXT STEPS**

#### 5.0 SOQ (Statement of Qualifications) Submittal

Submit the team's SOQ on 8-1/2" by 11" paper and an electronic version, either by CD-ROM or e-mail attachment. Emphasis should be on completeness and clarity of content. Each section or subsection of the SOQ should reference the Submittal Requirement section, above, being addressed, and should also include a Table of Contents, with tabs for each section. Pages should be numbered consecutively. Note: Failure to respond to all requested

information may be considered nonresponsive and may disqualify a Development Team from further consideration.

Please note that a SOQ response template will be provided no later than April 18<sup>th</sup> 2013.

### 5.1 Copies of SOQ

Please submit twelve (12) bound copies, one (1) unbound, double-sided copy on standard weight paper (no heavy-weight paper), and two (2) CD-Rs or USB memory drives including a PDF copy of your SOQ. Note, email submissions will not be accepted.

All SOQs are due on May 15, 2013 by 2:30 PM PST at the address listed below. Any submissions received after 2:30 PM Pacific Time will not be considered. Please note that these materials will not be returned. Development Teams shall submit their SOQs in packages as specified below. Submissions should be clearly marked "RESPONSE TO UCR MULTIPURPOSE SPORTS AND EVENTS CENTER REQUEST FOR QUALIFICATIONS."

Please e-mail CCenter@ucr.edu if you have any questions.

**University of California, Riverside  
Attn: Bill Lee, Executive Director  
Capital Finance and Real Estate  
1223 University Avenue, Suite 240  
Riverside, CA 92521**

### 5.2 The California Public Records Act (CPRA)

The CPRA limits the UCR's ability to withhold prequalification and bid data. If a submittal contains trade secrets that a developer does not want disclosed to the public or used by UCR for any purpose other than evaluation of the developer's eligibility, each page (both hard copy and electronic) containing such information must be marked with the designation "Confidential". UCR agrees that if a "Public Records Act" request is made for disclosure of information so classified, it will notify the submitter of such information so that the submitter will have an opportunity to legally challenge the University's obligation to disclose such information.

### 5.3 REVIEW PROCESS

UCR will evaluate all submitted SOQs. The responses to this RFQ will form the primary basis for the UCR's selection of developers to be invited to participate in the second stage of the selection process, described in Section 5.4, below. However, if the submitted written qualifications are concluded to be insufficient to select between developers, UCR reserves the right to require additional presentations or meetings with candidates. Further, the University reserves the right to reject any or all SOQs.

UCR will endeavor to follow the timetable set forth below; however, the timetable below is a guideline only and is subject to change in the University's sole discretion and without prior notice:

Issuance of RFQ:	<b>April 11, 2013</b>
RFQ Response Template Available	<b>April 18, 2013</b>
Request for Information (RFI) Deadline: (Emailed to <a href="mailto:CCenter@ucr.edu">CCenter@ucr.edu</a> by 2:00PM)	<b>April 30, 2013</b>
RFI responses from campus (Emailed to all interested developers by 2:00PM)	<b>May 6, 2013</b>
Statement of Qualifications (SOQ) Due:	<b>May 15, 2013 (By 2:30 pm)</b>
Interviews (if needed):	<b>Week of May 20, 2013</b>
Short List Notification:	<b>May 29, 2013</b>
Issuance of RFP:	<b>May 29, 2013</b>
Non-mandatory site inspection:	<b>Week of June 10, 2013</b>
RFI Deadline: (Emailed to <a href="mailto:CCenter@ucr.edu">CCenter@ucr.edu</a> by 2:00PM)	<b>June 21, 2013</b>
RFI responses from campus (Emailed to all interested developers by 2:00PM)	<b>July 1, 2013</b>
Proposals due:	<b>July 22, 2013</b>
Interviews:	<b>Week of August 5, 2013</b>
Best and Final Offer:	<b>August 19, 2013</b>
Selection of Winning Team:	<b>September 3, 2013</b>
Execution of ENA	<b>September 5, 2013</b>
ENA Period:	<b>September 5 - November 1, 2013</b>

#### 5.4 CRITERIA

UCR will consider the criteria identified in Section 3 above when evaluating each response to the RFQ. UCR reserves the right to change or add to the criteria at any time during the selection process.

## 5.5 SELECTION PROCESS

UCR's selection committee will review all written SOQs and shall select Development Teams which UCR will invite to participate in the second stage (RFP) of the selection process. The second stage of the selection process will consist, at UCR's discretion, of some combination of the following steps:

- a. UCR may invite selected Development Teams to participate in an interview intended to focus on the information submitted in each developer's SOQs;

*and/or*

- b. UCR may invite selected Development Teams to submit proposals for the design, construction, ownership and management of the C Center. The submittal requirements for proposals would be provided to the selected Development Teams in a Request for Proposal at the time of their selection for the second stage of the selection process. UCR, at its discretion, may invite responding Development Teams to participate in an interview intended to focus on the information submitted in each Development Team's Proposal;

*and/or*

- c. UCR may visit MPSECs or other projects previously constructed by the Development Teams or conduct other investigations prior to selecting a Development Team with whom to enter exclusive negotiations.

## 5.6 EXCLUSIVE NEGOTIATIONS

UCR will enter into exclusive negotiations with the Development Team selected at the conclusion of the second stage of the selection process. Negotiations will include, initially, the terms of a reimbursement agreement, and thereafter the terms of a ground lease and ancillary documents governing, upon execution, the development and ownership of the C Center. UCR reserves the right to terminate negotiations with the Development Team first selected and to negotiate with the runner up Development Team who was selected and participated in the second stage of the selection process, if negotiations with the Development Team first selected fail, or the Development Team first selected fails to perform.

## 5.7 SELECTED DEVELOPMENT TEAM

The Development Team first selected is hereby notified that negotiations shall begin immediately after execution of the ENA per the timeline identified above, and that the University requests the Development Team first selected to devote sufficient resources to allow negotiations to be completed within 60 days.

## SECTION VI ADDITIONAL CONDITIONS

### 6.0 DEVELOPMENT TEAM'S COST

Costs for developing the SOQs and proposals are entirely the responsibility of the Development Team and shall not be chargeable to UCR. However, depending on the deliverables required within the RFP, and as indicated in the RFP, UCR reserves the right to award a stipend of up to \$100,000 to each of the Finalist Development Teams which provide a responsive proposal to the RFP in all respects, but are not ultimately selected and awarded a contract following the ENA period.

### 6.1 PROPOSALS BECOME THE PROPERTY OF UCR

Development Team must notify UCR in advance of any proprietary or confidential material contained in the SOQ or proposal and provide justification for not making such material public as specified in the Public Records Act, and shall submit such material in a separate envelope within the RFQ and/or RFP envelope clearly marked "confidential" or "proprietary". UCR shall have sole discretion to disclose or not disclose such material subject to any protective order which Development Team may obtain. All materials, ideas, and formats submitted in response to this RFQ and/or RFP (not marked confidential) will become the property of UCR on receipt and may be returned only at the UCR's option, and at the Development Team's expense. One copy shall be retained for official files. UCR reserves the right to make use of any information or ideas contained in the SOQ or proposal.

### 6.2 REJECTION OF PROPOSALS

UCR may reject any or all SOQs and may waive any immaterial deviation in an SOQ. UCR's waiver of an immaterial defect shall in no way modify the RFQ or excuse the Development Team from full compliance with the specifications if awarded the contract. SOQs referring to terms and conditions other than in this solicitation may be rejected as non-responsive.

UCR may make investigations as deemed necessary to determine the ability of the Development Team to perform the work, and the Development Team shall furnish to UCR all such information and data for this purpose as requested by the UCR. UCR reserves the right to reject any SOQ if the evidence submitted by, or investigation of, such Development Team, or any team member, fails to satisfy UCR that such Development Team is properly qualified to carry out the obligations of the contract and to complete the work specified.

### 6.3 CANCELLATION

This solicitation does not obligate UCR to enter into an agreement. UCR retains the right to cancel this RFQ at any time. No obligation either expressed or implied, exists on the part of UCR to make an award or to pay any cost incurred in the preparation or submission of a proposal.

### 6.4 ERRORS AND OMISSIONS

If a Development Team discovers any ambiguity, conflict, discrepancy, omission or other error in the RFQ or any of its attachments, he/she shall immediately notify UCR of such error in writing and request clarification. Modifications will be made by addenda. Clarifications will be given by written notice to all parties who have been furnished or who have requested an RFQ, without divulging the source of any request.

If a Development Team fails to notify UCR prior to the date fixed for submission of SOQs of an error in the RFQ known to it, or an error that reasonably should have been known to it, Development Team shall provide a formal response at its own risk, and if it is awarded the contract, it shall not be entitled to additional compensation or time by reason of the error or its later correction.

### 6.5 ADDENDA

UCR may modify this RFQ, any of its key action dates, or any of its attachments, prior to the SOQ submittal date. Addenda will be numbered consecutively as a suffix to the RFQ Reference Number. It is the Development Team's responsibility to acknowledge receipt of all addenda by number in their SOQ, and ensure they have incorporated all addenda. Failure to acknowledge and incorporate addenda will not relieve the Development Team of the responsibility to meet all terms and conditions of the RFQ and any subsequent addenda.

### 6.6 SUBMISSION OF PROPOSAL

Proposals will be accepted on or before the date and time indicated Section V. The Schedule of Events and each event therein are subject to change at the sole discretion of the University.

## 6.7 EXCEPTIONS

If a Development Team takes exception to any part of these specifications as written, or as amended by any Addenda subsequently issued, or the general provisions, they must do so in writing. Said exceptions must be submitted with the SOQ. Failure to do so will be construed as acceptance of all items of the specification and general provisions.

## 6.8 DISPUTES / PROTESTS

UCR encourages potential Development Teams to resolve issues regarding the requirements or the procurement process through written correspondence and discussions during the period in which clarifying addenda may be issued. UCR wishes to foster cooperative relationships and to reach a fair agreement in a timely manner.

Development Teams filing a protest must do so within five (5) calendar days after notification letters to the Finalist Development Teams have been issued. The protesting Development Team shall submit a full and complete written statement detailing the facts in support of the protest. Protest must be sent by certified or registered mail or delivered in person to the Executive Director identified herein, or designee. UCR will provide a decision on the matter. The decision shall be in writing and sent by certified or registered mail or delivered in person to the protesting Development Team. The decision of UCR is final.

Interpretation of the wording of this document shall be the responsibility of the University and that interpretation shall be final.

## 6.9 NON-ENDORSEMENT

If Development Team is accepted as a Finalist, the Development Team shall not issue any news releases or other statements pertaining to the award/selection which state or imply the University's endorsement of Development Team's services.

## 6.10 SHORT-LISTING

Firms who are selected as Finalists will be notified as promptly as possible. Issuance of the Request for Proposals is anticipated to occur on or around May 29, 2013.

#### 6.11 PERFORMANCE MONITORING

If any key personnel identified by the Development Team for the C Center should be unable to continue in the performance of assigned, the Firm shall promptly notify UCR explaining the circumstances.

On request by UCR, the firm shall furnish to UCR within seven (7) working days the name of the person substituting for the individual unable to continue, together with any information UCR may require to judge the experience and competence of the substitute person. Upon approval by UCR, such substitute person shall be assigned to this MPSEC and if UCR rejects the substitute, the firm shall have seven (7) days thereafter to submit a second substitute person. Such process shall be repeated for a reasonable period until a proposed replacement has been approved by UCR. Absence of acceptable key personnel for the C Center shall constitute an event of default.

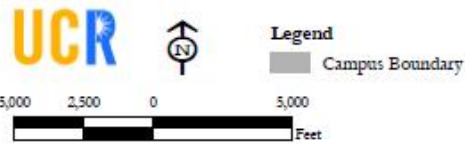
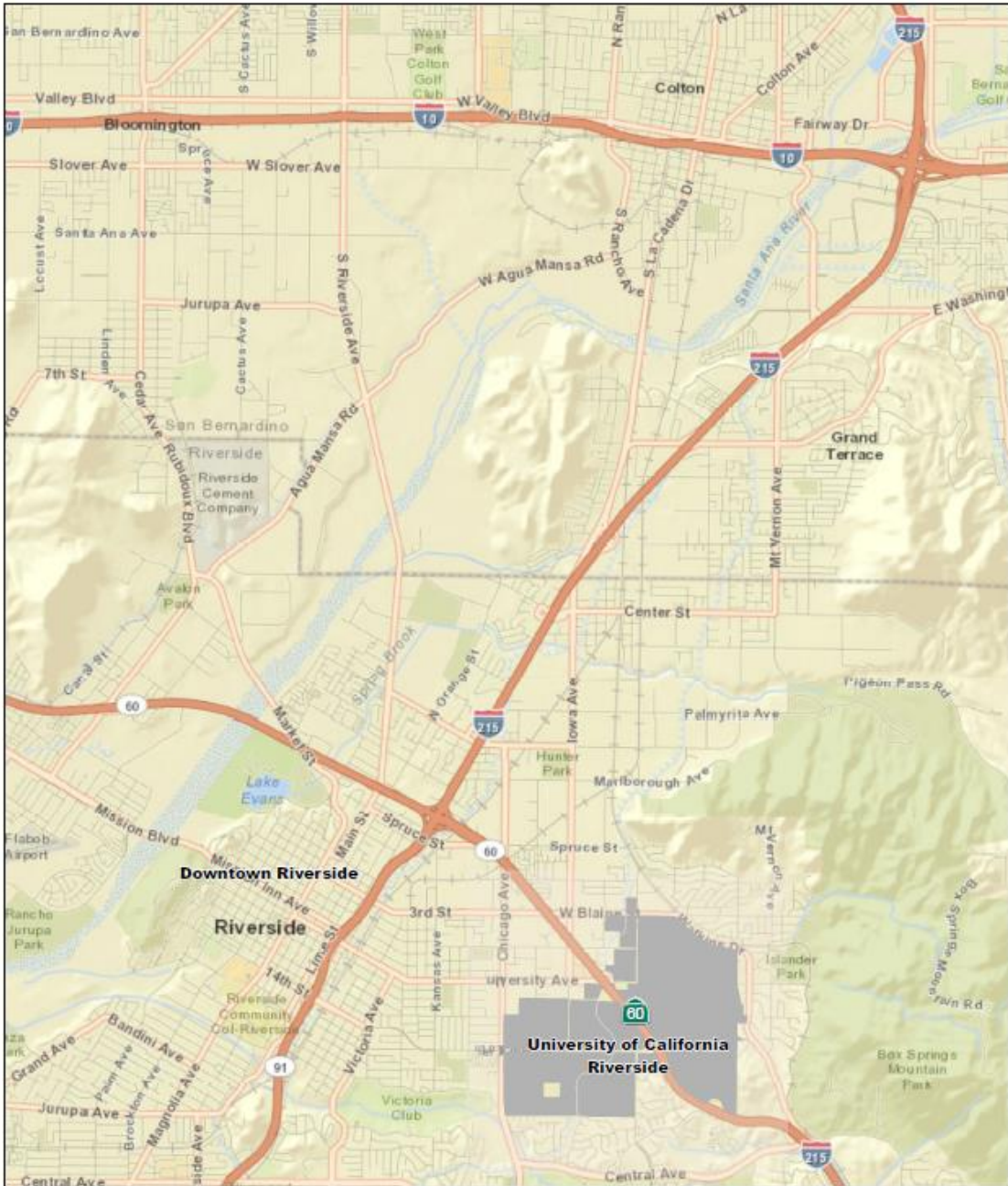
#### 6.12 COMPLIANCE WITH LAWS

Development Teams shall comply with any and all applicable laws, whether articulated herein or not.

#### 6.13 GENERAL CONDITIONS

While UCR intends to proceed with the development of this C Center in the manner described above, UCR may, at its sole discretion, choose not to proceed with the C Center, or to proceed with the C Center without a Development Team, without obligation or liability to any Development Team. UCR reserves the right, in its sole and absolute discretion, to: (a) modify or cancel the selection process at any time; or not award the C Center for any reason; (b) waive minor irregularities; (c) reject any, or all, submittals to this RFQ or seek new submittals when it is in the best interest of UCR to do so; (d) seek clarification or additional information from respondents as it deems necessary to the evaluation of the SOQ; and (e) request any additional information from the respondents, including but not limited to evidence of the respondent's financial status. Respondents to this RFQ shall bear all expenses in connection with their submittals and responses.

SECTION VII  
EXHIBITS



UCR Campus  
C-Center  
Regional Location

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### SITING DUE DILIGENCE FOR THE C CENTER

UCR has identified a site for the C Center on the West Campus. It is anticipated that the site will be confirmed via information gained during the RFQ and RFP processes. As such, it will be important for all potential Development Teams to provide input about the feasibility of the site and its positives and negatives during the RFQ and RFP process. This site information should be included in the RFQ and RFP responses and address specific topics noted in sections 3.0 and 3.1.

**West Campus** In 2009, in the context of completing due diligence for the 2011 Amendment to the LRDP, a capacity study was undertaken to test the siting of a multi-purpose events center with associated parking on the West Campus. Key findings from this effort include the following:



- a. The West Campus site initially studied for The C Center encompassed 11.67 acres on the NW corner of the intersection between Iowa Avenue and Martin Luther King Boulevard. The acreage for this parcel assumed accommodation of an Events Center, as well as surface parking. Event Center square footage and footprint assumed for the purpose of this RFQ is 6.88 acres.
- b. The West Campus site initially studied for potential structured parking was on the NE corner of the intersection of MLK Boulevard and Iowa Avenue. The capacity of the structure assumed in the context of that exercise was over 2,000 spaces, owing to an envisioned shared use with future development of UCR School of Medicine clinical facilities. For the purpose of this RFQ, the parking capacity assumed is 1,560 spaces.
- c. Development of the West Campus parcels assumes the Development Team will provide all above and below ground infrastructure needed to support the facilities. Development of the West Campus the C Center site would require an Amendment of UCR's Long Range Development Plan, and formal approval of same by the UC Board of Regents.

#### **California Environmental Quality Act (CEQA) Process.**

It is UCR's intent to incorporate concepts derived from this RFQ and the associated RFP process into a Draft LRDP Amendment and complete the associated requirements of the CEQA process for UC Board of Regents approval. This effort will require a full EIR (environmental impact report) and costs should be included in the Development Team's Proposal in response to the RFP.



Legend

-  Campus Boundary
-  West Campus Site

UCR Campus  
C-Center Proposed Site

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