Notice
Informational Posting
Request for Prequalifications-Master Developer for OSH N Campus
(Prod)
Only Manual Bids Allowed

Issued By
Administrative Services, Department Of - Facilities
1225 Ferry Street SE, 2nd Floor
Salem, Oregon
97301

Contact: Eric Grindy
Phone: 1 (503) 428-3808
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107-1831-13
Revision # 1

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Closing Date & Time
01/24/2014 4:00 PM
Time Zone
Pacific Time
Approx. Time Remaining

All dates are mm/dd/yyyy

Attachments Exist
Organization Attachments Do Not Exist
Privileged Attachments Do Not Exist
Documents for Purchase Do Not Exist

Geographic Matching Exists
Commodity Matching Exists

Issued For
Administrative Services,
Department Of - Facilities
1225 Ferry St. SE, U100
Salem, Oregon
97301-4281

Revision # 1 Correct document number referenced

Notice Summary
This Request for Pre-Qualification (RFPQ) will be used by the State to establish a list of
pre-qualified developers, who will be invited to submit proposals for the acquisition and
redevelopment of the North Campus of the Oregon State Hospital, a 47-acre property on
Center Street in central Salem, Oregon.

Delivery Requirements
Submissions due by 4:00 PM on January 24, 2014

Payment Terms
Net 45

FOB
(Not Applicable)
Manual & Electronic response must express an interest. Manual response must 1st DOWNLOAD the document. Electronic Response [if allowed] - must express interest; select Respond Online & complete response. Instructions can be found in the HELP screens

Control # 1594067
State of Oregon

COVER PAGE

Department of Administrative Services Real Estate Services

Master Developer for
Oregon State Hospital North Campus

Salem, Oregon

REQUEST FOR PRE-QUALIFICATION:

107-1831-13

Date of Issue: October 31, 2013

Response Due: January 24, 2014, 4:00 PM (Pacific)

Issuing Office: Department of Administrative Services/Real Estate Services (DRES)
Program Office: Department of Administrative Services/Real Estate Services (DRES)

DRES Contact:
Eric Grindy
1225 Ferry Street SE
Salem, OR 97301
503-428-3808
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SECTION 1: GENERAL INFORMATION

1.1 SUMMARY OVERVIEW:

1.1.1 BACKGROUND

The Oregon Department of Administrative Services ("DAS") is pleased to solicit interest in the purchase and development of the property commonly known as the North Campus of the Oregon State Hospital ("Property", see Attachment A).

Located within central Salem, Oregon, the Property consists of approximately 47 acres, formerly used as a psychiatric hospital. This contiguous parcel is bounded by a major arterial, a minor arterial, and two neighborhood collectors. It is well-served by transit along Center Street and located less than two miles from Salem’s historic downtown, Salem’s three largest employers, and the area’s primary commercial strip.

The surrounding neighborhood to the north and east is primarily single-family residential, dating to the 1940s-1960s. The new Oregon State Hospital campus is immediately to the south, and Salem Health’s Regional Rehabilitation Center is to the east. The Salem Health property is in the process of being vacated, and the owner has not yet made a proposal about that parcel’s future.

Leland Consulting Group ("Leland"), urban strategists and development advisors, completed a highest and best use analysis of the Property. Leland has proposed that the highest and best use of the Property is redevelopment for a mix of owned and rented residential real estate, with a neighborhood-scale retail component and possibly an educational component. The report of Leland’s findings is included as Attachment C to this Request for Pre-Qualifications ("RFPQ").

The vision of the North Campus re-development is a community that is financially successful and sustainable, integrates into and enhances the existing neighborhoods, respects the historical designation on the property, and reuses the Historic Dome Building and others if feasible; a place that stimulates community and reflects changing demographics in our society.

The City of Salem is supportive of the redevelopment of the Property (the "Project") and it is the State’s understanding that the City will assist in the Project through the outreach, permitting, and construction process. In particular, it is the State’s understanding that the City of Salem will work with the Developer to identify the correct zoning for the Property or create an appropriate zone and amend the Comprehensive Plan to meet precise needs.

The Property is part of the Oregon State Hospital National Historic District, and includes six major buildings. One, the Dome Building (constructed 1912), is individually listed on the National Register of Historic Places, is a local Salem Landmark, and has been listed on Restore Oregon’s Most Endangered Sites List.
The remaining five buildings were constructed in the 1940s and 1950s. Please see Attachment A for information about the Oregon State Hospital National Historic District.

DAS is in the process of conducting a Phase II Environmental Site Assessment, to include hazardous materials (asbestos and lead paint) testing within all buildings, abatement/demolition estimates, and soil borings and analysis. The completed Assessment, including any file closure letters or No Further Action letters, will be included as attachments to the anticipated Request for Proposals.

1.1.2 PROPERTY RECORDS

More information regarding the Property and the Project can be found within Attachment A of this RFPQ, or at the following web sites:

- www.northcampus.oregon.gov
- www.cityofsalem.net

1.1.3 PURPOSE

The State of Oregon, acting by and through its Department of Administrative Services Real Estate Services Section ("DRES"), is issuing this RFPQ to establish a list of qualified Master Developers, hereafter referred to as "Master Developer List", in accordance with OAR 125-045-0235(4).

DRES will use this RFPQ process to pre-qualify developers to participate in a future anticipated Request for Proposals ("RFP") for the purpose of establishing an agreement with the most qualified developer for the purchase of the Property. Developers who meet the standards of this RFPQ (as further described below) will be placed on the Master Developer List and will be invited to submit a proposal in response to a subsequent anticipated RFP for purchase of the Property. Although developers that do not participate in this RFPQ process will be permitted to submit proposals in response to the future anticipated RFP, such a developer will still be required to submit all information requested by this RFPQ and qualify under the RFPQ standards before its proposal will be considered. Accordingly, DRES strongly encourages any interested developer to participate in this RFPQ process to avoid a situation in which the developer later submits a proposal that is not considered as part of the RFP process because the developer fails to meet the RFPQ standards.

1.2 SCOPE OF REQUIREMENTS:

The developer qualifications that DRES is seeking are set forth in this Section 1.2 and will be evaluated based on the information requested in Section 3.3, in accordance with the criteria set forth in Section 4.2. Developers interested in being considered must review and understand the full scope of the RFPQ’s requirements. A developer must submit information that demonstrates its expertise and qualifications as indicated in the specified criteria.
The State is seeking a qualified and experienced developer who is prepared and able to pay a fair market price and who has the capacity and competence to prepare and execute the best development plan consistent with City and State objectives and market feasibility.

1.2.1 DEVELOPER EXPERIENCE:

1.2.1.1 Experience developing and marketing medium- to large-scale urban mixed-use developments, particularly integrating with existing developed neighborhoods;

1.2.1.2 Capacity to attract tenants for commercial and other non-residential spaces;

1.2.1.3 Demonstrated successes working in collaboration with state or local government, neighborhood groups, and/or non-profit organizations;

1.2.1.4 Experience with transit-oriented development; and

1.2.1.5 Familiarity with Third Place urban planning concepts and LEED for Neighborhood Design.

1.2.2 DEVELOPER RESPONSIBILITIES

Prior to final sale, DAS and the selected Master Developer must successfully conclude negotiation of a purchase and sale agreement that may include a phased purchase. It is anticipated that the obligations of the Master Developer under this agreement will include a minimum development schedule for the first phase. The Property is being sold, in part, to encourage redevelopment of this property, integrating it into the community.

1.2.3 RIGHTS EXCLUDED FROM SALE

1.2.3.1 State law requires the State to retain mineral rights on any property it sells, unless such rights are separately sold or waived by the State Lands Board. DAS is actively pursuing release of mineral rights for the Property from the State Lands Board. Parties considering responding to this RFPQ are directed to ORS 273.775 to 273.790 and OAR 147, Division 73 for further information on this subject.

1.2.3.2 The State does not intend to retain water rights that are presently associated with the Property.

1.3 SCHEDULE OF EVENTS:

The table below represents a schedule of events. DRES reserves the right to modify these dates at any time. All times are Pacific Time (PT).

<table>
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### 1.4 DEFINITION OF TERMS:

For the purposes of this RFPQ, the following definitions will be used.

1.4.1 "**Addendum**" means an addition to, deletion from, a material change to or clarification of the RFPQ. Addenda shall be labeled as such, issued by DRES and made available to all Developers who have expressed interest in this solicitation via the ORPIN system.

1.4.2 "**Closing**" means the date and time on or before which all submissions must be received.

1.4.3 "**DRES**" means the State of Oregon, acting by and through its Department of Administrative Services, Real Estate Services Section.

1.4.4 "**RFPQ**" means this Request for Pre-Qualifications, including all documents, either attached or incorporated by reference, and any Addenda thereto, used for soliciting submissions.

1.4.5 "**State**" means the State of Oregon.

1.4.6 "**Developer**" means an individual, corporation, business trust, partnership, limited liability company, association, joint venture, governmental agency, public corporation or other legal or commercial entity that is seeking to be included in the Master Developer List.

### SECTION 2: RFPQ PROCESS

2.1 **AUTHORITY:**

DRES is conducting this RFPQ pursuant to its authority under OAR 125-045-0235(4).

2.2 **QUALIFICATION PROCESS:**

DRES intends to use the Request for Pre-Qualifications process pursuant to ORS Chapter 270 and OAR 125-045-0235(4).
2.3 **PRE-SUBMITTAL MEETING AND TOUR**

A voluntary pre-submittal meeting, followed by a voluntary site tour, will be held at the date and time listed in section 1.3 at the following location:

General Services Building
1225 Ferry Street SE
Salem, OR 97301

Prospective Developers may opt to call in to the pre-submittal meeting.

Call information:

Phone number: To Be Announced via ORPIN

Participant Code: To Be Announced via ORPIN

The purpose of this meeting is to explain the RFPQ requirements and to answer any questions prospective Developers may have. Statements made at the pre-submittal meeting and tour are not binding upon DRES. Developers are cautioned that the official RFPQ requirements will change only by written addenda issued by DRES as provided in sections 2.4.1 and 2.6.

2.4 **ORPIN SYSTEM:**

The RFPQ, including all Addenda, attachments and exhibits, is published on the Oregon Procurement Information Network (ORPIN System) [http://orpin.oregon.gov](http://orpin.oregon.gov). Developers must register on ORPIN to receive the RFPQ and any subsequent Addenda or other information released related to this RFPQ.

2.4.1 **ORPIN SYSTEM ASSISTANCE:**

Developers unfamiliar with the ORPIN System may contact the ORPIN help desk at (503) 378-4642.

2.4.2 **ORPIN SYSTEM REGISTRATION INFORMATION:**

Developers are solely responsible for ensuring that their registration information is current and correct. DRES accepts no responsibility for missing or incorrect information contained in Developers' registration information in the ORPIN System.

2.5 **REQUESTS FOR CLARIFICATIONS/QUESTIONS:**

Questions and requests for clarification about this RFPQ may be submitted at any time via e-mail or telephone to the DRES contact listed on the front page of this RFPQ.

2.6 **ADDENDA:**

Any changes to this RFPQ or attached documents will be issued by Addendum and posted to the ORPIN System. Interpretations, corrections or changes to this RFPQ made in any other manner are not binding on the State.
SECTION 3: INSTRUCTIONS TO DEVELOPERS

3.1 ACCEPTANCE PERIOD:

It is the responsibility solely of the Developer to see that its qualifications are received by the date and time stated in this RFPQ. Developers may submit information any time the RFPQ is open. The closing date shall only be extended through an Addendum posted to the ORPIN System.

3.2 SUBMISSION REQUIREMENTS (GENERAL):

3.2.1 FORMAT:

Developers must submit three (3) hard copies and one (1) electronic media such as CD, DVD or flash drive, in PDF format. Materials in response to the RFPQ may not be submitted via facsimile or e-mail. Materials received after the date and time specified in this RFPQ may be rejected by the State. The state reserves the right to ask for clarifying information, if needed, on individual Developer submittals.

Developers must describe in detail how they will meet the requirements of this RFPQ and may provide additional related information. The submission should be presented in a format that corresponds to and references the sections contained in Section 3.3. Responses to each section and subsection should be labeled to indicate the item being addressed.

Submissions should be straightforward and concise and provide "layman" explanations of technical terms that are used. Emphasis should be focused on responding to the RFPQ requirements, on providing a complete and clear description of the Developer's qualifications and conforming to the RFPQ instructions.

3.2.2 PACKAGING:

Developer is solely responsible for ensuring that its submission is received by the DRES Contact listed on the cover page of this RFPQ.

DRES operating hours are Monday through Friday 8:00 AM to 12:00 PM and 1:00 PM to 5:00 PM except for state holidays and state approved closures, including those for inclement weather.

Packaging must be as follows:

In person or via parcel delivery to the DRES Contact listed on the cover page of the RFPQ. The package/envelope should be labeled:

Name of Developer
RFPQ # 107-1831-13
Attn: CONTACT

3.2.3 MODIFICATIONS:

It is the responsibility of the Developer to ensure that modified submissions are delivered before the closing date and time. Submissions that contain omissions or improper erasures or irregularities may be rejected.
Any Developer that wishes to make modifications to a submission already received by DRES must submit modification(s), in writing, that denote the specific change(s) to the master submission. All modifications made to a submission must be made in ink and must be properly initialed by Developer’s authorized representative.

No oral, e-mail, telegraphic, facsimile or telephonic modifications will be considered. Modifications to a submission may NOT be delivered by e-mail or facsimile.

3.2.4 WITHDRAWAL OR REMOVAL:

If a Developer wishes to withdraw a submission or wishes to be removed from the Master Developer List, it may do so at any time by sending a request to the DRES contact on the front page of this RFPQ. Requests for withdrawal may be initiated in person or via telephone, but must be documented in writing.

3.2.5 CLOSING:

Submissions must be delivered on or before closing (the due date and time identified in section 1.3 by which submissions must be received at the location identified on the cover page of this RFPQ) to be considered. Submissions will NOT be accepted after closing, and late submissions will be returned to the respective Developer. DRES reserves the right to extend closing when it is in the best interest of DRES.

3.2.6 OPENING:

Submissions will be opened and forwarded to the evaluation committee following Closing. All Developers will be notified of the outcome of their evaluation.

3.3 CONTENT REQUIREMENTS:

As described below, this RFPQ is designed to select a group of qualified Master Developers, from whom the State shall solicit formal proposals under an anticipated future Request for Proposals (RFP) for purchase of the Property.

Submissions must comply with the following requirements and will be evaluated for inclusion on the Master Developer List.

3.3.1 DEVELOPER INFORMATION FORM:

Submissions must include a completed Developer Information Form (Attachment B).

3.3.2 DEVELOPER PROFILE

Submissions must contain documentation to demonstrate Developer's ability and capacity to complete a mixed-use urban development or redevelopment similar in scale to the anticipated redevelopment of the Property as described in Section 1.1.1. Developer shall include a company profile describing the following:

3.3.2.1 company history, experience and expertise;
3.3.2.2 location of principal offices;
3.3.2.3 form of organization (corporation, partnership, etc.);
3.3.2.4 years the company has been in business under its current name;
3.3.2.5 other names under which the company has operated;

3.3.2.6 marketing organization and structure;

3.3.2.7 statement of the willingness to negotiate a purchase and sale agreement with the State of Oregon;

3.3.2.8 resumes of company’s principals and officers to be involved.

3.3.3 PROJECT EXPERIENCE:

Developer shall provide detailed case studies of three (3) mixed-use urban development or redevelopment projects successfully completed by Developer that are similar in scale and vision to the anticipated redevelopment of the Property as described in Section 1.1 and that demonstrate Developer’s capacity for similar-scale projects and the quality of Developer’s development and design. Completed phases of multi-phase projects are acceptable. Projects, or one or more phases of multi-phase projects, must have been completed within the last ten (10) years. The submission should include description and imagery adequate to convey understanding of each project, including value generated, and the names, titles, addresses and telephone numbers of two (2) outside references who have worked with Developer on at least one of the listed projects.

Case studies may be up to eight (8) page faces each, and should demonstrate the following:

- Size, location, and setting (urban, suburban, other) of project
- Mix of uses, by percentage of total project square footage
- Whether project is greenfield or redevelopment; any abatement or mitigation performed
- Project phasing, if any
- Mix of residential unit products, by percentage
- Ratio or percentage of ownership vs. rental opportunities by unit product type
- Price point for residential unit products as a percentage of area market
- Percentage of units that are “affordable” (rent not higher than 30% of tenant income) or “workforce” (affordable to tenants earning 60-100% of area median income)
- Any uncommon or innovative housing products in project
- Percentage of total development that is office space, if any
- Class(es) of office space provided, as percentage of office space
- Percentage of total development that is neighborhood-scale retail
- Presence of:
  - Grocery store, food co-op, or similar use
  - Freestanding “big box” or other retail uses
  - Lodging open to public, including type of lodging
o Sit-down dining options
o Entertainment venues; may include nightclubs
o Indoor community meeting spaces
o Transit amenities provided on site

- Degree to which development integrates with existing neighborhood and street grid
- Degree to which development is demonstrably welcoming to residents from nearby neighborhoods
- Percentage of total project footprint that is open space
- Percentage of project open space available to general public
- Description including size of adjacent public open spaces
- Planned or existing transit routes or bicycle greenways
- Bicycle and pedestrian circulation, connectivity, and amenities
- Parking requirement on site, and explanation of any creative efforts made to reduce parking demand below jurisdiction's standard for that site
- Public outreach components, process used, and stakeholders involved
- Collaboration with government agencies, advocacy groups, non-profits; financial, regulatory, and otherwise
- Adaptive reuse of buildings
- Incorporation of historic landmarks or location of project within historic district, local or national
- LEED-ND certification
- Percent of buildings achieving LEED certifications and level of certifications
- Actual project absorption rate for each product type in the project over the marketing period of the project compared with surrounding market absorption rate for each product type in the project over marketing period of project (i.e. did the project outperform or underperform compared to the market)

3.3.4 GOVERNMENT EXPERIENCE:

Developer shall demonstrate experience with successful, collaborative relationships with local and/or State governments or non-profit organizations on similar sized development projects. Collaborations may, but need not, be the same projects listed in response to Section 3.3.3 above. The submission should include a narrative describing the collaborative relationships with local and/or State governments or non-profit organizations in the context of specific projects and the names, titles, addresses and telephone numbers of two (2) outside references from local or State government who have worked with the Developer on at least one of the projects. Developer shall disclose any ongoing or recently completed contracts entered into with the State of Oregon or the City of Salem.
3.3.5 CREDIT REFERENCE:

Developer shall provide a credit reference from Developer's bank or financier that describes the length and nature of Developer's relationship with the bank or financier, details the bank or financier's general willingness to invest in mixed-use real estate developments or phases thereof with Developer, and attests to the good standing or creditworthiness of Developer.

SECTION 4: EVALUATION

4.1 EVALUATION COMMITTEE

An evaluation committee composed of DAS staff will review the submissions from the Developers to this RFPQ. Each member of the panel will evaluate the submissions based on the criteria identified in Section 4.2. Submissions will first be reviewed for completeness and compliance with the requirements of this RFPQ. If the submission is unclear, Developer may be asked to provide clarification. Those submissions that meet the requirements will be forwarded to an evaluation committee that will independently review and score according to the scoring criteria set forth in Section 4.2.

Each member of the evaluation committee will score each submission based on the scoring criteria set forth in Section 4.2. The scores from each of member of the evaluation committee will then be added to produce a final score for each submission.

The evaluation committee reserves the right to name all Developers, whose submissions are complete and submitted in accordance with the process set forth in this RFPQ, to the Master Developer List. Alternatively, the evaluation committee, at its discretion, may choose to name to the Master Developer List those Developers whose submissions receive the highest scores, based on any natural break in the scores of all submissions as determined by the evaluation committee.

All Developers named to the Master Developer list will be invited to submit proposals in response to the subsequent anticipated RFP to be used to select the purchaser/developer of the Property. It is currently anticipated that, as part of that RFP process, each proposer will be required to present components of its proposal—site plans, uses, massing, access and similar information (but not financial data)—at a public Open House so neighbors and other members of the public may comment and ask questions. The Salem City Council may also request a presentation or Q&A session with each proposer.

4.2 EVALUATION AND SCORING CRITERIA (100 points possible):

4.2.1 PROJECT EXPERIENCE (70 points possible)

The evaluation committee will review information on Developer's expertise and experience included in the Developer Profile (Section 3.3.2) and the case studies submitted under Project Experience (Section 3.3.3) and assess the consistency of the
expertise, experience and case studies with the vision and other expressed interests of the community, as described in Section 1.1.

4.2.2 GOVERNMENT EXPERIENCE (15 points possible)
The evaluation committee will assess the Developer's relationship with local and State government and non-profits, and experience of successfully working in collaboration with State and/or local governments (e.g. public-private partnerships, urban renewal, public development agencies, economic development agencies, etc.) and/or non-profit organizations, neighborhood groups, and civic groups on project design and implementation.

4.2.3 REFERENCES (15 points possible)
The State will contact references to evaluate past performance and working relationships.

SECTION 5: MASTER DEVELOPER LIST

5.1 MASTER DEVELOPER LIST INCLUSION & REMOVAL

5.1.1 ADDITION TO THE MASTER DEVELOPER LIST
Developers will be added to the Master Developer List as described in Section 4.1.

5.1.2 REMOVAL FROM THE MASTER DEVELOPER LIST
Developers will only be removed from the Master Developer List by request or under extraordinary circumstances. Extraordinary Circumstances warranting possible removal include but are not limited to circumstances that occur resulting in the Developer not possessing the abilities to perform as represented in its proposal.

SECTION 6: ADDITIONAL INFORMATION

6.1 OWNERSHIP/PERMISSION TO USE MATERIALS:
All submissions in response to this RFPQ become the property of the State. By submitting a response to this RFPQ, Developer grants the State a non-exclusive, perpetual, irrevocable, royalty-free license to reproduce, distribute, display, prepare derivative works of and transmit for the purpose of evaluation or as otherwise needed to administer the RFPQ process, and to fulfill obligations under Oregon Public Records Laws. Submitted materials will not be returned to the Developer.

6.2 COST OF SUBMITTING:
Developer must pay all submission costs, including, but not limited to, the cost of preparation.
6.3 RIGHTS RESERVED:

Pursuant to ORS 270.140, DRES reserves the right to cancel this RFPQ at any time when the
cancellation is in the best interest of the State, as determined by DRES. DRES, the State,
their officers, employees and agents, are not liable for any loss or expense caused by or
resulting from the delay, suspension or cancellation of the RFPQ. All submissions will
become part of the public record without obligation to DRES.

The State reserves the right to reject any RFPQ responses for failure to meet the
requirements of this RFPQ, as it may be amended from time to time. If the State receives a
response it deems incomplete or ambiguous, it reserves the right to request additional
information or to reject the response. The State may cancel this process at any time. The
State will not pay costs incurred in responding to this RFPQ.

THE STATE RESERVES THE RIGHT TO REVISE THIS RFPQ FROM TIME TO TIME. ALL
REVISIONS SHALL BE POSTED ON ORPIN AND WILL BE BINDING ON ALL DEVELOPERS.
Developers may make written requests for clarifying information concerning this project
and the requirements of this RFPQ. Such requests should be made to the Designated
Contact listed on the cover page of this RFPQ. If the State provides clarifying information to
one Developer it shall post on ORPIN the information that was provided, and notify all
Developers registered on ORPIN.

Under no circumstances shall the State be liable as a result of disclosing any materials,
whether the disclosure is deemed required by law, by an order of court, or occurs through
inadvertence, mistake or negligence. Any and all information the State makes available to
Developers shall be as a convenience and without representations or warranty of any kind.
Developers may not rely on any oral responses to inquiries.

The State may accept such submissions as it deems in its discretion to be advisable.
Pursuant to State law (ORS 270.135), the determination of the most advantageous
submissions shall be final and conclusive and shall not be subject to review by any court.

6.4 CONFIDENTIAL OR PROPRIETARY INFORMATION:

The information that is received by the State may be subject to disclosure under the Oregon
Public Records Law—ORS 192.410 through 192.505. It is anticipated that submissions to
this RFPQ will contain little or no material that is exempt from disclosure under Public
Records Law. Nevertheless, the State will maintain the confidentiality of proprietary Trade
Secrets (see ORS 192.501(2)) or other information to the extent that it is exempt from
disclosure under the Oregon Public Records Law. Accordingly, RFPQ Developers will need
to take the following steps with respect to information they believe is exempt from
disclosure:

6.4.1 Provide a list and generalized explanation of all those items submitted with the RFPQ
that the Developer believes are Trade Secrets or otherwise exempt from disclosure
under the Oregon Public Records Law, and clearly mark the upper right corner of
each page of any such document or material with substantially the following legend:

“This data is exempt from disclosure under the Oregon Public Records Law pursuant
to ORS 192, and is not to be disclosed except in accordance with the Oregon Public
Records Law, ORS 192.410 through 192.505.”
The State's disclosure of documents or any portion of a document submitted and marked as exempt from disclosure under the Oregon Public Records Law may depend upon official or judicial determinations made pursuant to the Oregon Public Records Law. If the State receives from a third party any request under the Oregon Public Records Law for the disclosure of information identified by a Developer as confidential, State will notify Developer within a reasonable period of time of the request. Under such circumstances the Developer shall be responsible for assisting the State in determining the confidentiality of the requested information, though the State will make the final determination.