



DISTRIBUTE: MARCH 6, 2017

REQUEST NO. 1

REQUEST FOR PROPOSALS

USD DISCOVERY DISTRICT HOTEL DEVELOPMENT

Proposals shall be received by USD Discovery District, 4800 N. Career Ave., Suite 100, Sioux Falls, SD 57107 not later than **3:00 p.m. on April 28, 2017.**

Proposals will be reviewed by the USD Discovery District Evaluation Committee with offeror interviews, if any, scheduled for **May 12**, with USD Discovery District Board of Directors approving final acceptance **May 18, 2017.**

The RFP is available online at:
<http://www.usddiscovery.com/requests>

The USD Discovery District reserves the right to reject any or all proposals, waive technicalities, and make award(s) as deemed to be in the best interest of the USD Discovery District.





REQUEST FOR PROPOSALS
GUIDELINES & REQUIREMENTS
FOR SUBMITTAL

03.06.2017
HOTEL DEVELOPMENT
REQUEST NO. 1



UNIVERSITY OF SOUTH DAKOTA
DISCOVERY DISTRICT

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SECTION ONE

INTRODUCTION AND INSTRUCTIONS

1.1 PURPOSE OF THE RFP

This Request for Proposal (this “RFP”) is issued by the USD Research Park, Inc., dba the USD Discovery District (hereinafter referred to as the “Requestor”). Requestor is accepting proposals from qualified offerors to develop a multistory hotel located on Requestor’s parcels of land, as depicted on Attachment 7.1, within the 80-acre Discovery District described in Section 2.1. The hotel will support the Requestor’s mission to foster innovation driven companies and research activities within the Discovery District.

1.2 CONTACT PERSON, TELEPHONE, NUMBER, AND EMAIL

Contact: Rich Naser, President
Office Phone: 605-275-8010
Email: rich@usddiscovery.com

1.3 RFP SCHEDULE OF EVENTS

This schedule of events represents the Requestor’s best estimate of the schedule that will be followed for this RFP. If a component of this schedule such as the deadline for receipt of proposals is delayed, the rest of the schedule will be shifted by the same number of days.

The approximate RFP schedule is as follows:

- (a) RFP posted on the Requestor’s website: **March 6, 2017.**
- (b) Letter of Interest due to Requestor: **March 27, 2017.**
- (c) Deadline for RFP questions: **April 10, 2017.**
- (d) Proposals due to Requestor: **3 pm Central time, April 28, 2017.**
- (e) Reserved for potential offeror interviews: **8 am to Noon, May 12, 2017.**
- (f) Requestor issues Notice of Intent to Award: **May 19, 2017.**
- (g) Contract execution: **May-July, 2017.**

1.4 RETURN MAILING ADDRESS AND DEADLINES FOR RECEIPT OF PROPOSALS

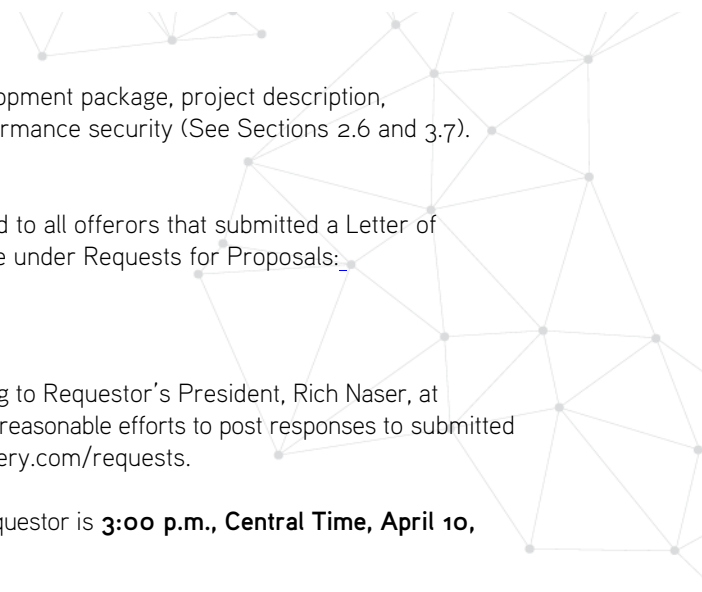
Offerors must submit one (1) original hard copy (marked “Original”), one (1) electronic copy, and (9) nine hard copies of the proposals in sealed envelopes or packages.

Envelopes or packages containing proposals must be clearly addressed as described below to ensure proper delivery and to avoid being opened by the Requestor before the deadline for receipt. Envelopes or packages must be addressed as follows:

USD Discovery District
Attention: Rich Naser
Request for Proposals for Discovery District Hotel Development RFP No. 1
4800 N. Career Ave., Suite 100
Sioux Falls, SD 57107

Proposals must be received by the Requestor at the location specified no later than **3:00 pm Central time, on April 28, 2017.** Proposals will not be publicly read at the opening.

Offerors assumes all risks associated with the method of delivery service chosen to delivery proposals to Requestor, and Requestor assumes no responsibility for delays caused by any delivery service. Postmarking by the due date will not substitute for actual proposal receipt by the Requestor. An offeror’s failure to submit its proposal prior to the deadline will cause the proposal to be rejected.



Each proposal must include a properly completed development package, project description, description of offeror's qualifications, and proof of performance security (See Sections 2.6 and 3.7).

1.5 AMENDMENTS TO THE RFP

If an amendment to this RFP is issued, it will be provided to all offerors that submitted a Letter of Interest. Amendments will also be posted on the website under Requests for Proposals: www.usddiscovery.com/requests.

1.6 QUESTIONS

Questions regarding this RFP shall be submitted in writing to Requestor's President, Rich Naser, at rich@usddiscovery.com. Requestor will use commercially reasonable efforts to post responses to submitted questions to the Requestor's website at: www.usddiscovery.com/requests.

The deadline for offerors to submit RFP questions to Requestor is **3:00 p.m., Central Time, April 10, 2017**.

1.7 NOTICE PROVIDED

The RFP and any amendments to the RFP will be posted on the following website: www.usddiscovery.com/requests

1.8 LETTER OF INTEREST

Those interested in receiving any notices related to this RFP are required to contact the Rich Naser, rich@usddiscovery.com, and provide the name of their firm, contact person, mailing address, telephone number, and email address.

The sole purpose of the Letter of Interest is to provide the Requestor with a contact person to receive any notices related to the RFP. Submission of a Letter of Interest is not a requirement for submitting a proposal to this RFP. The Requestor must receive the Letter of Interest from the vendor by **March 27, 2017**.



SECTION TWO

SCOPE OF WORK

2.1 INTRODUCTION

The real estate development referred to as the USD Discovery District (“Discovery District”) is an 80-acre contemporary corporate and academic research park under development in northwest Sioux Falls. The goal of this mixed-use, urban innovation community is to provide access to research facilities and infrastructure for research business development and spur innovation-driven businesses in a collaborative environment for students, researchers, and entrepreneurs. When fully developed, it will include an estimated 26 privately developed buildings and employ nearly 2,800 people within the Discovery District.

Anchors for the park include the Graduate Education and Applied Research (GEAR) Center, including its pilot-scale cGMP facility, and USD’s Biomedical Engineering Program (BME). The Discovery District is private-public partnership between the University of South Dakota, the Board of Regents, Governor’s Office of Economic Development, Forward Sioux Falls and the City of Sioux Falls.

The Requestor intends to maximize its capacity to support and attract innovation driven companies by leasing a site within the Discovery District to develop accommodations and amenities for visitors to the Discovery District. Several Discovery District prospective companies have expressed the need for hotel accommodations in proximity to their anticipated future locations.

The Requestor intends to contract with an offeror whose qualifications and proposal are deemed to be the most advantageous to the Requestor and the Discovery District. No contract will be awarded solely on the basis of price. Only those proposals determined to meet all of the requirements of this RFP and those providing the best value to the Requestor and Discovery District will be given consideration. Any proposals that are deemed to be nonconforming to the stated requirements may be rejected. Offerors submitting proposals are advised to use particular care in reviewing and abiding by the RFP requirements set forth in this document when preparing their proposals.



2.2 SITE DESCRIPTION

The Requestor has a 99-year master lease (Attachment 7.3) for 80-acres adjacent to University Center in Sioux Falls and is seeking development of one of the parcels depicted in Attachment 7.1. The Requestor intends to enter into a long-term sublease lease of the property with the qualified offeror.

The targeted sites for development range from 1.5 to 3 acres, more or less, as defined by aerial Attachment 7.1. The Requestor may consider changes to the targeted area based on the proposal submitted. The Requestor is responsible for the construction of the streets West Nobel Street, West Nobel Drive and N. Frances Ave., including streets, public utilities, curb and gutter adjacent to the designated locations. Offeror will assume all other additional costs of development.

The Discovery District sites west of Career Avenue are currently zoned S-2 Institutional Campus PUD and the sites east of Career Avenue are currently zoned I-1 Light Industrial. If necessary for the awarded project, the Requestor will work with the offeror to seek the appropriate rezoning of the selected site.

The proposals should include contributions to the site preparations and other improvements to the Discovery District, including, but not limited to:

- (a) Extension of private telecommunication and electrical utilities.
- (b) Construction of sidewalks and streetscape treatments per Discovery District Master Plan ‘Hierarchy of Streets’ (Attachment 7.4, Pages 84-87).
- (c) Construction of parking lot per Discovery District Master Plan (Attachment 7.4, Pages 48, 49 77).

- (d) Landscape plantings meeting or exceeding the level of existing plantings at the adjacent University Center site, and achieving the intent of the guidelines outlined in the District Master Plan (Attachment 7.4, Pages 83-104).
- (e) Other typical site preparations.

Each of these items may be the sole responsibility to the offeror or can be a joint undertaking with the Requestor. Offerors must clearly state within their proposals whether such preparations and other improvements are to be solely the responsibility of the offeror or a joint undertaking with the Requestor.

2.3 DESIGN OBJECTIVES

The minimum development that will be considered is an 80-room multistory hotel and the preferred development would also include food and beverages services and other amenities. The Requestor does intend on maintaining development flexibility where appropriate.

The development of this property should be compatible with the Discovery District Master Plan (Attachment 7.4.) and meet the below minimum requirements:

- (a) The proposed development should fit into the Requestor's planned urban environment and enhance the Requestor's ability to support its research, education and business tenants.
- (b) The project shall incorporate a low-sloped membrane roof. A pitched roof with asphalt shingles will not be accepted.
- (c) The development of this property should be compatible with a contemporary architectural style as illustrated in the Discovery District Master Plan.
- (d) The project should utilize high-quality, durable exterior materials to complement the architecture of the existing buildings on site.
- (e) Integrate building material texture and color, joints and patterns into the overall architectural design concept to enhance visual interest.
- (f) Building Signage: Individual letters internally lit or halo lighting – internally lit 'box' signs not allowed – and shall incorporate Discovery District name and logo.
- (g) Mechanical Equipment: All equipment (condensing units, gas meters and piping, transformers) shall be located out of public view or adequately screened with the primary building materials.
- (h) Roof Mounted Equipment: Roof mounted equipment shall be totally screened from adjacent property and public right-of-ways. Rooftop screens shall be integrally designed into the building with walls or parapets.
- (i) Trash Enclosure: Trash service areas shall be screened and out of view from the public and screened with the primary building materials.

2.4 FINANCE INCENTIVES

The Requestor does not anticipate the need for financial incentives for successful completion and operation of the development.

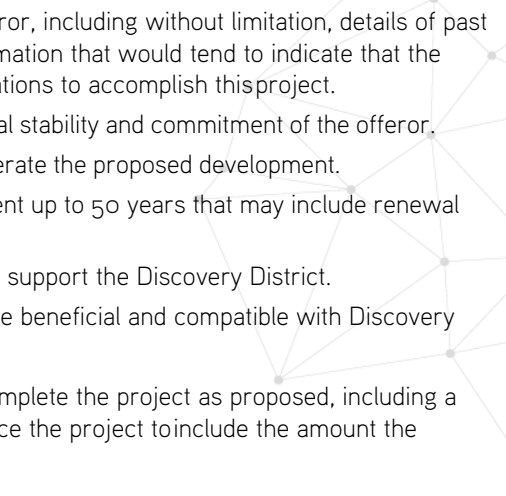

2.5 CONSTRUCTION TIMING

Construction should be completed within 18 months from the date Requestor and offeror execute a sublease.

2.6 PROPOSALS

It is expected that each offeror will visually inspect the site and conduct any historical public record research needed to submit a proposal. All proposals shall, at a minimum, include the following information:

- (a) Cover letter demonstrating the offeror's qualifications to meet the following requirements:

- 
- 1) Experiences and qualifications of the offeror, including without limitation, details of past projects similar in nature and other information that would tend to indicate that the offeror possesses the necessary qualifications to accomplish this project.
 - 2) Sufficient evidence demonstrating financial stability and commitment of the offeror.
 - 3) Capacity to successfully complete and operate the proposed development.
 - 4) Ability to reach an initial sublease agreement up to 50 years that may include renewal options.
 - 5) A proposal that will promote, market, and support the Discovery District.
 - 6) A multistory hotel development that will be beneficial and compatible with Discovery District's primary purpose.
- (b) Evidence of the financial capability needed to complete the project as proposed, including a detailed explanation of the method used to finance the project to include the amount the offeror will invest.
- (c) Amount offered for lease of the land and/or any initial cash contributions.
- (d) A narrative description of the proposed development, including at least the following:
- 1) Building size.
 - 2) The number of parking spaces (underground and surface) that will be provided on site.
 - 3) Explanation of building design including a description of the exterior building materials.
 - 4) The amount of floor area of the various uses planned within the proposed building.
 - 5) The type of construction to be utilized.
 - 6) The type and amount of landscaping to be provided and an explanation of how the landscaping complies with the Discovery District Master Plan.
 - 7) Any special amenities to be provided.
 - 8) Description of how the Discovery District name or logo will be incorporated into exterior and/or interior signage.
 - 9) Estimated cost of construction.
- (e) Preliminary concept plan.
- (f) Preliminary color rendering of all four sides of the building's exterior.
- (g) Interior floor plans.
- (h) Example signage.
- (i) Proposed location and screening of exterior service areas and utilities.
- (j) Preliminary project schedule.
- (k) Any plans for coordination or maximization of partnerships with the Discovery District.
- 

Offerors at a minimum must address in their cover letter their ability to meet the minimum qualifications listed above. An offeror's failure to address this question in its cover letter may make RFP nonconforming, and Requestor expressly reserves the right to consider any such nonconforming proposals incomplete. Award of the development proposal will require a long-term lease of the property providing the best value for the Discovery District.



SECTION THREE

GENERAL CONTRACT INFORMATION

3.1 CONTRACT

The Requestor intends to enter into a contract with an offeror who will be required to execute a sublease of the property within 60 days from the date of the awarded proposal with construction to be complete within 18 months from the date the sublease is executed.

3.2 CONTRACT TYPE

This contract will be a term sublease contract. The initial contract price will allow flexibility between an initial cash contribution and sublease payments submitted by the offeror, subject to contract negotiations with the Requestor. Contract terms submitted by offeror in a proposal shall be considered firm offers.

3.3 PROPOSAL AS A PART OF THE CONTRACT

All or any portion of this RFP and the successful proposal may be incorporated into the contract as determined by Requestor.

3.4 ADDITIONAL TERMS AND CONDITIONS

- (a) Requestor is currently finalizing Covenants, Conditions and Restrictions (CC&Rs). The finalized CC&R will be provided to the offeror prior to contract execution and incorporated into the final contract.
- (b) The Requestor reserves the right to add, delete, or modify terms and conditions during contract negotiations. These terms and conditions will be within the scope of the RFP and will not affect the proposed evaluations.

3.5 SUPPLEMENTAL TERMS AND CONDITIONS

Proposals, including supplemental terms and conditions, will be accepted, but supplemental conditions that conflict with those contained in this RFP, or that diminish the Requestor's rights under any contract resulting from the RFP, may be deemed null and void by Requestor. Requestor is not responsible for identifying conflicting supplemental terms and conditions before issuing a contract award.

- (a) If conflict arises between a supplemental term or condition included in the proposal and a term or condition of the RFP, the term or condition of the RFP will prevail; and
- (b) If the Requestor's rights would be diminished as a result of the application of a supplemental term or condition included in the proposal, the supplemental term or condition may be deemed null and void by Requestor.

3.6 CONTRACT APPROVAL


This RFP does not, by itself, obligate the Requestor. The Requestor's obligation will commence when the Discovery District Board of Directors approves and its President signs the negotiated contract. Upon written notice to the successful offeror, the Requestor may set a different effective date for the contract.

3.7 PERFORMANCE SECURITY

At the time of the execution of any sublease, the Requestor, at its own discretion, may require performance security. Acceptable forms of security include, but are not limited to, surety/security bond, certified check, cashier's check, or bank draft. Offeror shall demonstrate in the proposal an ability to meet any such security requirement.

3.8 DEVELOPMENT CONTRACT

The Requestor intends to enter into an agreement with the successful offeror within sixty (60)




days after selection on the following issues:

- (a) Lease price—All proposals are expected to provide an offer for the subject property. All offers should include justification in the form of an appraisal, a real estate broker's opinion, market analysis, or other acceptable form of justification, copies of which should be provided to the Requestor. The requestor will accept annual payments but may give preference for upfront cash payment in whole, or in combination with annual payments, that offers maximum flexibility and value to the Requestor. Additionally, preference may be given to alternatively structured proposals advantageous to the Requestor. Offerors are requested to provide a schedule detailing any upfront payments as well as methods for determining future year lease payments.
- (b) Plans and specifications—The offeror(s) will be required to submit final plans and specifications to Requestor for review and approval prior to the start of construction. The Requestor may require plans be submitted no later than thirty (30) days prior to the anticipated starting construction date.

3.9 INSURANCE REQUIREMENTS

The offeror must agree to maintain policies of insurance with coverage for the construction and operating of proposed development to include without limitation:

- (a) Worker's Compensation insurance in accordance with the statutory coverages required by the State of South Dakota and Employers Liability insurance with limits not less than \$1,000,000.
- (b) Commercial General Liability with limits not less than \$1,000,000 per occurrence and \$5,000,000 aggregate for bodily injury and property damage, including coverage for premises and operations liability, products and completed operations liability, contractual liability, broad form property damage liability and personal injury liability.
- (c) Commercial Automobile Liability on all owned, non-owned, hired and rented vehicles with limits of liability of not less than \$1,000,000 combined single limit for bodily injury and property damage per each accident or loss.
- (d) Umbrella/Excess Liability insurance coverage of not less than \$1,000,000 per occurrence and annual aggregate providing coverage in excess of General Liability, Auto Liability, and Employers Liability.



Requestor has the right to negotiate increase of deductibles subject to acceptable financial information of the policyholder. Each policy of insurance required by this section shall provide for no less than 30-days advance notice to the Requestor prior to cancellation. In addition, the Requestor, its officers, directors, employees, and agents shall be named as "Additional Insureds" by all contractors and subcontractors and a "Waiver of Subrogation" shall be included in favor of the Requestor. The insurance shall be placed with insurers with a Best's rating of at least VII. Certificates of insurance, including all of these requirements, must be deposited with Requestor required prior to signing the final negotiated contract.



SECTION FOUR EVALUATION CRITERIA AND DEVELOPER SELECTION

The total number of points used
to score this RFP is 100.

4.1 SELECTION CRITERIA

Seventy Percent (**70%**) of the total possible evaluation points will be assigned to selection criteria.

The proposals will be evaluated by the Requestor on the following criteria:

- (a) Experience and qualification of the offeror, including details of projects similar in nature and working with public/private partnerships.
20 Points
- (b) Alignment with USD Discovery District concept & brand
15 Points
 - 1) Design concept aligns fits with USD Discovery District's urban environment
 - 2) Hotel quality, interior and exterior finishes
 - 3) Hotel brand alignment
 - 4) Discovery District branding opportunities
- (c) Hotel room capacity
5 points
- (d) Meeting space capacity and availability to Discovery District tenants.
5 Points
- (e) Fitness and recreation (swimming) amenities and availability to Discovery District tenants.
5 Points
- (f) Availability of food and/or beverage service to Discovery District tenants.
5 Points
- (g) Capacities of the offeror to successfully finance, complete and operate the proposed hotel development.
15 Points
 - 1) Demonstrated ability to coordinate construction and deliver the project within the project time frame.



4.2 FINANCIAL CRITERIA

Thirty Percent (**30%**) of the total possible evaluation points will be assigned to financial criteria.

The proposals will be evaluated by the Requestor on the following criteria:

- (a) Immediate value
15 points
 - 1) Any initial cash contributions to the Requestor, site preparations, and/or other improvements to the Discovery District.

(b) Short- and long-term value

15 points

- 1) The proposal's financial structure to provide both short-and long-term value to the Requestor and Discovery District.

4.3 EVALUATION COMMITTEE

The evaluation committee will consist of the Requestor's Executive Committee, Requestor's President, and other parties advising the Requestor.

The evaluation committee will make its recommendation to the full Discovery District Board of Directors, which has the discretion to make the final selection, based upon the qualifications and proposals, responsibility and capabilities of respondents, the fairness of price, and other factors. Any decision by the Board of Directors shall be final.

4.4 PROPOSAL EVALUATION AND INTERVIEWS

Upon review of the proposals, the Requestor's Evaluation Committee will score the proposals and may short list and interview firms. Upon completion of the interviews, the selected firm may be asked to enter into contract negotiations with the Requestor. If an agreement cannot be reached with the first firm, the Requestor may move to the next ranked offeror. The same process will be repeated with the other ranked offeror if no such agreement can be reached. The Requestor reserves the right to not select an offeror as part of this process if an agreement cannot be reached or for any other reason.

If contract negotiations are commenced, they will be held at the **USD GEAR Center, 2329 N. Career Ave. — a date and time to be determined.**

If contract negotiations are held, the offeror will be responsible for all of its costs including its travel and per diem expenses.



SECTION FIVE PROPOSAL FORMAT AND CONTENT

5.1 PROPOSAL FORMAT AND CONTENT

The Requestor discourages overly lengthy and costly proposals; however, in order for the Requestor to evaluate proposals fairly and completely, offerors must follow the format set out in this RFP and provide all information requested. The offeror's proposal shall include a point-by-point response for each paragraph in this RFP.

5.2 OTHER PROPOSAL REQUIREMENTS

Proposals must include a cover letter complete with name and address of offeror and the name, mailing address, and telephone number of the person the Requestor should contact regarding the proposal.

Proposals must confirm that the offeror will comply with all provisions in this RFP. The proposal must disclose any instances where the offeror or any individuals working on the contract have a possible conflict of interest and, if so, the nature of that conflict as set forth in Section 6.3.

Proposals must be signed by a company officer empowered to bind the company as set forth in Section 6.1. The offeror's failure to include these items in the proposals may cause the proposal to be determined to be nonresponsive and the proposal may be rejected.

5.3 SELECTION BASIS

Offerors must provide a comprehensive response to Sections 4.1 and 4.2. Responses must be in the same sequence as they appear in Sections 4.1 and 4.2. If necessary, an offeror must provide supporting narrative and documentation when required in response to the requirements of these sections.



SECTION SIX STANDARD PROPOSAL INFORMATION

6.1 AUTHORIZED SIGNATURE

An individual duly authorized to bind the offeror to the provisions of the RFP and the offeror's submitted proposals must sign all proposals.

6.2 REQUESTOR NOT RESPONSIBLE FOR PREPARATION COSTS

The Requestor will not pay, and is not responsible for any cost associated with the preparation, submittal, presentation, or evaluation of any proposal.

6.3 CONFLICT OF INTEREST

Offerors must disclose any instances where the offeror, its officers, affiliates, employees, or any individuals working on the contract have a possible conflict of interest and, if so, the nature of that conflict (e.g., employed by the USD Discovery District). The Requestor reserves the right to cancel the award if any interest disclosed from any source could either give the appearance of a conflict or cause speculation as to the objectivity of the offeror's proposal. The Requestor's determination regarding any questions of conflict of interest is final.

6.4 OFFEROR'S CERTIFICATION

By signature on the proposal, the offeror certifies that it complies with:

- (a) The laws of the state of South Dakota.
- (b) All applicable local, state, and federal laws, codes, and regulations.
- (c) All terms, conditions, and requirements set forth in this RFP.
- (d) A condition that the proposal submitted was independently arrived at, without collusion.
- (e) A condition that the offer will remain open and valid for the period indicated in this solicitation.
- (f) A condition that the offeror, its affiliates, employees and/or any individuals working on the contract do not have a possible conflict of interest (e.g., employed by the USD Discovery District) except as otherwise disclosed in the proposal.

If any offeror fails to comply with the provisions stated in this paragraph, the Requestor reserves the right to reject the proposal.

6.5 OFFER HELD FIRM

All proposals submitted by offerors must remain open, valid and irrevocable for at least sixty (60) days from the deadline specified for submission of proposals.

6.6 AMENDMENTS TO PROPOSALS AND WITHDRAWALS OF PROPOSALS

Offerors may amend or withdraw proposals prior to the deadline set for receipt of proposals. No amendments will be accepted after the deadline unless they are in response to the Requestor's request or amendment to the RFP. After the deadline, offerors may make a written request to withdraw proposals and provide evidence that a substantial mistake has been made. The Requestor may permit withdrawal of the proposal upon verifying that a substantial mistake has been made, and the Requestor may retain the offeror's proposal security, if one was required.

6.7 ALTERNATE PROPOSALS

Offerors may not submit alternate proposals for evaluation.

6.8 JOINT VENTURES

Joint ventures are acceptable. If submitting a proposal as a joint venture, the offeror must submit a copy

of the joint venture agreement, letter, or memorandum of understanding that identifies the principles involved and its rights and responsibilities regarding performance and payment. Joint ventures submitting proposals must establish that contractual responsibility rests solely with one company or one legal entity. Each proposal involving a joint venture should indicate the entity responsible for execution on behalf of the joint venture.

6.9 RIGHT OF REJECTION

The Requestor reserves the right to reject any proposals, in whole or in part. The Requestor may reject any proposal that is not responsive to all of the material and substantial terms, conditions, and performance requirements of the RFP.

The Requestor may waive minor informalities including without limitation, informalities that:

- (a) Do not affect responsiveness.
- (b) Are merely a matter of form or format.
- (c) Do not change the relative standing or otherwise prejudice other offers.
- (d) Do not change the meaning or scope of the RFP.
- (e) Are insignificant, negligible, or immaterial in nature.
- (f) Do not reflect a material change in the work.
- (g) Do not constitute a substantial reservation against a requirement or provision.

The Requestor reserves the right to reject any proposal determined to be nonresponsive and to reject the proposal of any offeror determined to be nonresponsive. The Requestor also reserves the right to refrain from making an award if it determines it to be in its best interest.

6.10 CLARIFICATION OF OFFERS

In order to determine if a proposal is reasonably amenable for award, communications by Requestor's President or the Evaluation Committee are permitted with any offeror to clarify uncertainties or eliminate confusion concerning the contents of a proposal and determine responsiveness to the RFP requirements. Clarifications may not result in a material or substantive change to an offeror's proposal. The initial evaluation may be adjusted resulting from a clarification provided by offeror.

6.11 FAILURE TO NEGOTIATE

If the selected offeror:

- (a) Fails to provide the information required to begin negotiations in a timely manner.
- (b) Fails to negotiate in good faith.
- (c) Indicates it cannot perform the contract within the budgeted funds available for the project.
- (d) If the offeror and the Requestor, after a good-faith effort, cannot come to terms.

The Requestor may terminate negotiations with the highest ranked offeror and commence negotiations with the next highest ranked offeror as provided in Section

6.12 NOTICE OF INTENT TO AWARD—OFFEROR NOTIFICATION OF SELECTION

The Requestor's President will issue a written Notice of Intent to the offeror. The Notice of Intent to Award will set out the names and addresses of the successful offeror and identify the proposal selected for award. The scores and placement of other offerors will not be part of the Notice of Intent to Award.

The successful offeror named in the Notice of Intent to Award is advised not to begin work, purchase materials, or enter into subcontracts relating to the project until both the successful offeror and the Requestor sign the formal contract.



SECTION SEVEN ATTACHMENTS

7.1

AERIAL VIEW ATTACHMENT

An exhibit illustrating the parcels as defined by aerial exhibit is attached:

Click here for Aerial View:

<http://usddiscovery.com/wp-content/uploads/2017/03/Attachment-1-Aerial-View.pdf>

7.2 EVALUATION SUMMARY ATTACHMENT

HOTEL RFP EVALUATION SUMMARY

NAME OF RFP: _____
RFP NUMBER: _____
OFFEROR BEING EVALUATED: _____
EVALUATOR'S NAME: _____
DATE: _____

REQUEST FOR PROPOSAL: TECHNICAL EVALUATION

SELECTION CRITERIA	MAXIMUM POINTS PER CATEGORY	POINTS AWARDED
1. Experience and qualification of the offeror's firm, including details of past projects similar in nature and working with public/private partnerships.	20	
2. Alignment with Discovery District concept and brand.	15	
3. Hotel room capacity.	5	
4. Meeting space capacity and availability to Discovery District tenants.	5	
5. Fitness and recreation (swimming) amenities and their availability to discovery district tenants.	5	
6. Availability of food and/or beverage service to Discovery District tenants.	5	
7. Capacity to finance, complete in a timely manner, and operate the proposed hotel.	15	
FINANCIAL CRITERIA		
Immediate Value		
8. Any initial cash contributions to the Discovery District, site preparations items, and/or other improvements to the Discovery District.	15	
Short- and Long-Term Value		
9. The proposal's financial structure to provide both short- and long-term value to the Discovery District.	15	
RFP TOTAL:	100	

7.3 MASTER LEASE AGREEMENT

Click here for Master Lease Agreement:

<http://usddiscovery.com/wp-content/uploads/2017/03/Attachment-3-USD-DD-Amended-Master-Lease.pdf>

7.4 DISCOVERY DISTRICT MASTER PLAN

Click here for Discovery District Master Plan:

<http://usddiscovery.com/wp-content/uploads/2017/03/Attachment-4-Discovery-District-Master-Plan-Updated.pdf>