



UNIVERSITY OF BALTIMORE

Office of Procurement

DATE: September 14, 2022

TO: All Prospective Proposers

FROM: Barbara Aughenbaugh
For Beth Kirk - Director of Procurement
410-837-5714

RE: **ADDENDUM 4 to RFP UB-23-BK-3, Ground Lease of University Property**

The following amends the above referenced Solicitation documents. Receipt of this addendum is to be acknowledged by completing the enclosed "Acknowledgement of Receipt of Addenda Form" and including it in the Proposal.

1. Questions Log Modification.

Question #11: Can you provide more clarity around the bonding requirements? i.e. what value does the bond need to be based on given the ground lease structure?

The response provided under Addendum 3 is deleted and replaced with:

- The bid bond has been removed as a requirement from the RFP.
- The selected developer will be required to provide financial assurance relative to ground lease payments to UBalt. The details as to form, (e.g., a letter of credit or escrow common) will be negotiated as part of the deal terms. The amount is expected to be 5% of the ground lease payments.
- Developers should notify UBalt if this change from the original RFP, necessitates additional time in order to submit their proposal and if so, indicate the additional time required.
- Developers still must submit the bid form.

The attached Questions Log reflects this modification

END OF ADDENDUM 4

ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA FORM

FOR: ADDENDUM 4 to RFP UB-23-BK-3, Ground Lease of University Property

PROPOSAL DUE DATE:

September 16, 2022 at 12:00 PM EDT

NAME OF PROPOSER: _____

ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA

The undersigned, hereby acknowledges the receipt of the following addenda:

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| Addendum No. <u> 1 </u> | dated <u>8-18-2022</u> |
| Addendum No. <u> 2 </u> | dated <u>8-30-2022</u> |
| Addendum No. <u> 3 </u> | dated <u>9-9-2022</u> |
| Addendum No. <u> 4 </u> | dated <u>9-14-2022</u> |
| Addendum No. <u> </u> | dated <u> </u> |

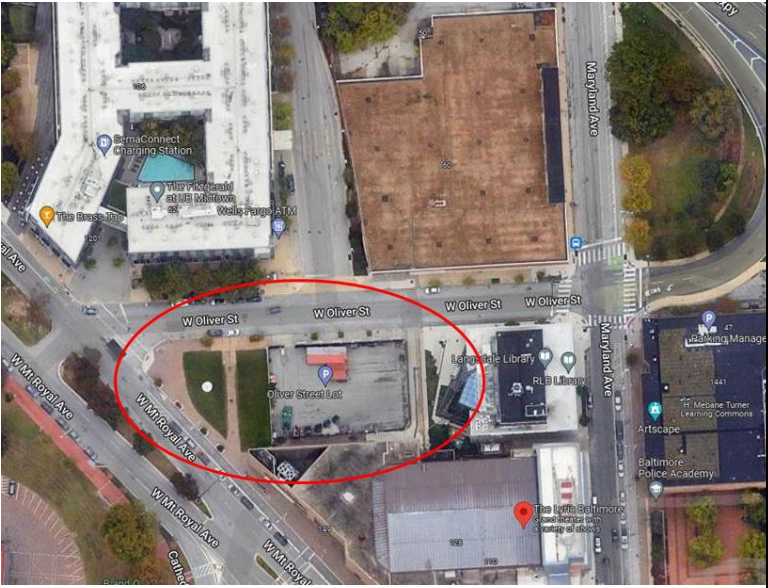
As stated in the Solicitation/RFP documents, this form is included in our Proposal.

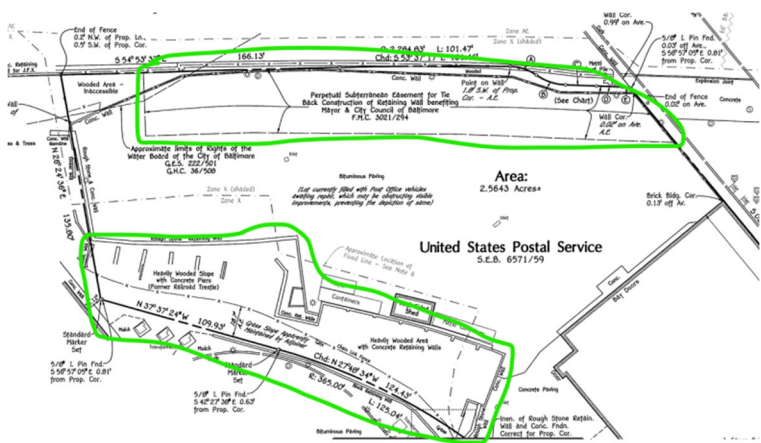
Signature

Name Printed

Title

Date

| Q No. | Adden. No. | Question | UBALT Response |
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| 1 | 1 | Who will be on the evaluation committee? | The committee will comprise of UBalt representatives and representatives from other agencies. |
| 2 | 1 | Is the wall outside by the parking lot a retaining wall? | The 2014 Alta survey indicates that a “retaining wall” or “retaining walls” exist on the left side of the site is labeled “rough stone retaining wall.” However; UBalt makes no representation or warranty as to the accuracy, completeness or sufficiency of any plans or survey. Each Proposer is responsible for its own due diligence. |
| 3 | 1 | Can you provide structural and or existing-conditions plans and drawings? | UBalt has provided all available plans and drawings for the site. UBalt makes no representation or warranty as to the accuracy, completeness or sufficiency of any plans. Each Proposer is responsible for its own due diligence. |
| 4 | 1 | <p>What are the plans for the property across the street?</p>  | UBalt has no current development plans for these spaces, i.e., surface lot and triangle green space. |
| 5 | 1 | Are there any height restrictions? | No height restrictions imposed by UBalt. However, as provided in the RFP, the Developer is subject to, and is to |

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| | | | comply with, all applicable local, state, and federal law, codes, rules, and regulations. |
| 6 | 1 | <p>Can you provide some information about the structural capacity and design of the existing post office structure? Can you provide load capacity of the structure and slab for the potential of an addition while retaining the existing structure?</p> | <p>UBalt has provided all available plans and drawings for the site. UBalt makes no representation or warranty as to the accuracy, completeness or sufficiency of any plans. Each Proposer is responsible for its own due diligence.</p> |
| 7 | 1 | <p>Are the areas marked below “non-buildable”? Does the easement to the north imply no work or construction can happen above or would this entail navigating the details of the existing easement with Baltimore City? If yes, could we get access to the easement agreement to understand what our limitations are? Similarly, is the area marked to the south have the ability to build on it by relocation the retaining wall? Or is this area protected and can’t be touched.</p>  | <p>As provided in the RFP, the selected Developer must obtain, pay for, and be solely responsible for all required permits, licenses, consents, and regulatory approvals, and must negotiate and execute all required agreements needed to design, finance, obtain grants, obtain historic tax credits, demolish, remove hazardous materials, environmental/ soil tests, renovate, lease, manage, operate, and maintain the properties including payment of real estate taxes, special district assessments and utility bills. The survey provides title references for Proposers for themselves to obtain and review all related documents. UBalt makes no representation or warranty as to the accuracy, completeness or sufficiency of any plans or survey.</p> |
| 8 | 1 | <p>Oral Presentations are scheduled for September 26th and 27th which are observed holidays for Rosh Hashanah. Will the University consider anytime on the 28th for firms that observe Rosh Hashanah?</p> | <p>Due to Rosh Hashanah the University projected Oral Presentations will be held on two days, September 26, 2022 and Sept. 28, 2022. Firms that observe Rosh Hashanah and have been invited to Oral Presentations may present on Sept. 28, 2022.</p> |

End of Addendum 1

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| 9 | 2 | Are we limited to sharing only 3 projects, or can we share more if we think they are relevant to this RFP response? | Proposers may submit a maximum of 5 projects which best illustrates your firm's qualifications. |
| 10 | 2 | Does University of Baltimore expect affidavits & bonds to be signed by JV developer partner in addition to the lead developer? | <p>If the Proposer is a joint venture (JV) firm, Proposers shall include a copy of the joint venture agreement or, if not yet formed, a letter signed by both joint venture parties stating the intent to form a joint venture.</p> <p>If the Proposer is a joint venture firm, the Proposer shall provide all identification information for all parties and all requirements for all parties (i.e., licenses, insurance, etc.) as requested in this RFP. As part of the proposal submission the Proposer shall identify the responsibilities of each joint venture party with respect to the scope of services/work inclusive of the requirements for each entity based on such services as described in this RFP document. All joint venture parties will be held responsible for the contract obligations separately and severally.</p> <p>The Proposal, if submitted by an individual, shall be signed by the individual; if submitted by a partnership or joint venture, shall be signed by such member or members of the partnership or joint venture as have authority to bind the partnership or joint venture; if submitted by a corporation, shall be signed by an officer, and attested by the corporate secretary or an assistant corporate secretary. If not signed by an officer, there shall be attached a copy of that portion of the by-laws or a copy of a board resolution, duly certified by the corporate secretary, showing the authority of the person so signing on behalf of the corporation. Signatures shall be under seal, i.e.: indicated by the word "(Seal)" following signature of individual and partner bidders, and indicated by affixing the Corporate Seal at corporate signatures.</p> |

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| 11 | 2,3 (Updated via Adden.4) | Can you provide more clarity around the bonding requirements? i.e. what value does the bond need to be based on given the ground lease structure? | <ul style="list-style-type: none"> • The bid bond has been removed as a requirement from the RFP. • The <u>selected</u> developer will be required to provide financial assurance relative to ground lease payments to UBalt. The details as to form, (e.g., a letter of credit or escrow common) will be negotiated as part of the deal terms. The amount is expected to be 5% of the ground lease payments. • Developers should notify UBalt if this change from the original RFP, necessitates additional time in order to submit their proposal and if so, indicate the additional time required. • Developers still must submit the bid form. |
| 12 | 2 | <p>From p.12 of p.26 – <i>“The developer has the option to utilize or demolish. . . the existing structure to construct high quality improvements that enhance the architectural landscape and community experience.”</i></p> <ol style="list-style-type: none"> 1. Does UBalt have any preferences in-favor-of or against re-use of the existing structure in pursuance of the goal of complementing the needs of the surrounding community? 2. Does UBalt have any structural engineering studies or other engineering studies related to the existing structure? | <p>1. As set forth in the answer to Question #18 below, the University’s intentions and requirements are set out in Section II. Article 2 of the RFP, which also provides that any development is “subject to conditions imposed by the State of Maryland and other regulatory authorities”. One of those authorities is the State Clearinghouse. The University has submitted a request for Clearinghouse review. The University cannot comment on or control whether any conditions will be imposed by the State of Maryland and other regulatory authorities. See also Section II, Article 2, 5.16, 5.17, and 5.18.</p> <p>2. See the response to Question #3 above.</p> |
| 13 | 2 | Is there any information available as to the ownership / responsibility for the retaining wall on the western boundary of the site? | See the response to Question #2 above. |

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| 14 | 2 | <p>The Green Street Phase I references numerous prior reports, but they are not attached to the Phase I report. These reports seem to have been prepared for the postal service and are dated between 1996 and 1999. Would it be possible to access these to know specifically where certain samples were collected and where various tanks, especially those beneath the building, may have been located?</p> | <p>Additional reports dated between 1996-1999 are listed below. The 7 documents listed below are located on the University's website: Current UBalt Solicitations - University of Baltimore.</p> <ol style="list-style-type: none"> 1. Underground Storage Tank UST Closures Part 1 2. Underground Storage Tank UST Closures Part 2 3. Asbestos Lead-In-Paint Radon 4. Certificate of Registration 5. Discharge Report 6. Tank Removal 7. Water Report |
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| | | | <p>UBalt makes no representation or warranty as to the accuracy, completeness or sufficiency of any plans. Each Proposer is responsible for its own due diligence.</p> |
| 15 | 2 | <p>During the pre-proposal meeting, UB advised there is flexibility in many areas of the RFP. Please advise if the timeline in the RFP is negotiable based on the developer's concept proposed.</p> | <p>The University may consider extending the Period of Performance of 18 months with the awarded Developer. Proposers are to include in your proposal the specific period of months if your firm will require more than 18 months.</p> |
| 16 | 2 | <p>Is the University willing to utilize its status as a state entity to accelerate some of the milestones necessary for the development process?</p> <ol style="list-style-type: none"> a. Interactions with the Maryland Department of the Environment (MDE) regarding site remediation and stormwater management. b. Interactions pertaining to the re-zoning, if necessary, for the highest and best use of the site. | <p>The University, as fee simple owner and ground lessor, is willing to join in applications, but in the University's sole and absolute discretion, at no cost or expense to the University, and upon indemnification by the Developer.</p> <p>UBalt makes no representation or warranty as to the accuracy, completeness or sufficiency of any plans. Each Proposer is responsible for its own due diligence.</p> |
| 17 | 2 | <p>Please provide any prior title work that has been completed or copies of existing easements.</p> | <p>Each Proposer should conduct its own due diligence, including but not limited to, title reports. UBalt makes no representation or warranty as to the accuracy, completeness or sufficiency of any plans. Each Proposer is responsible for its own due diligence.</p> |

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| 18 | 2 | Please confirm that the University does not intend or require us to keep or reuse any part of the existing building/structure on site | The University’s intentions and requirements are set out in Section II. Article 2 of the RFP, which also provides that any development is “subject to conditions imposed by the State of Maryland and other regulatory authorities”. The University cannot comment on or control whether any conditions will be imposed by the State of Maryland and other regulatory authorities. See also Section II, Article 2, 5.16, 5.17, and 5.18. UBalt makes no representation or warranty as to the accuracy, completeness or sufficiency of any plans. Each Proposer is responsible for its own due diligence. |
| End of Addendum 2 | | | |