

FURNITURE STORE PROPERTY
PORTLAND, OREGON
REDEVELOPMENT OPPORTUNITY



REQUEST FOR QUALIFICATIONS

October 2015

METRO, PORTLAND, OREGON

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DEVELOPMENT OPPORTUNITY

Metro is seeking a qualified development team to acquire and redevelop 2817 SE 82nd Avenue, the “Furniture Store” site.

The 0.47 acre parcel is located within Portland’s multicultural Jade District at the intersection of 82nd Avenue and Division Street, across from the recently expanded Portland Community College (PCC) Southeast Campus and near a future station location for the planned PowellDivision Bus Rapid Transit (BRT) line.



Purpose and Goals:

Metro’s Transit Oriented Development (TOD) Program acquired the Furniture Store in anticipation of the Powell-Division BRT project, which will connect downtown Portland to downtown Gresham and Mount Hood Community College and which is expected include a station stop near the intersection of 82nd Avenue and Division Street. Project goals reflect Metro TOD program objectives and community specific goals and guidance as developed by an advisory panel of Jade District, South Tabor Neighborhood Association, Portland Community College, Portland Housing Bureau, Portland Development Commission, TriMet and housing development representatives.

Metro’s goals for the project include:

- providing long term affordable housing that is accessible via high capacity transit;
- increasing transit ridership by providing enhanced options for people to live in a walkable, transit served neighborhood;
- extending opportunities for diverse communities to participate in the benefits of new investment in the neighborhood
- exploring potential partnerships with nearby institutions and community organizations; and
- achieving a design that complements the surrounding neighborhood, celebrates the neighborhood’s diversity, and, as practical, preserves elements of the existing building’s historic 82nd Avenue façade.

The Site:

The site is approximately 20,543 square feet. The parcel is approximately 40 feet deep as it faces 82nd Avenue, 80 feet deep as it faces 81st Avenue, and has approximately 220 feet of frontage along Division Street. An ALTA survey is available as Appendix A.

The site is occupied by an existing single story building of approximately 8,000 square feet constructed in three stages from the 1930's to the 1960's. The oldest portion faces 82nd Avenue and features a distinctive Art Deco style façade. While Metro has made minor investments to allow interim occupancy of the Furniture store, including new heating units and bathroom repairs, many of the building systems are in fair to poor condition or obsolete. Metro is interested in design solutions that protect or incorporate the 82nd Avenue façade and/or preserve the 1930's portion of the existing building as retail or other community-serving spaces while redeveloping the remainder of the site. A Property Condition Report is available as Appendix B.



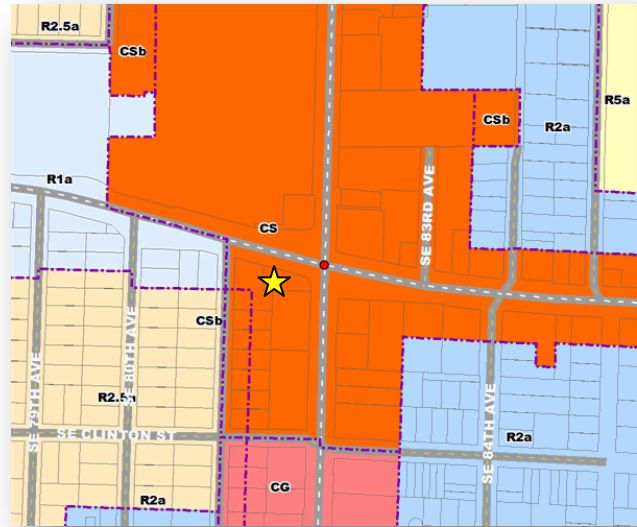
Upon pre-approval of the scope, Metro will reimburse the selected development team (the “Team” up to \$10,000 for any structural analysis sought by the Team to determine the feasibility of restoring and preserving the 82nd Avenue façade of the existing building or other elements of the 1930s era portion of the existing building.

Environmental Site Assessment

A Phase I Environmental Site Assessment indicated the possibility of asbestos in vinyl floor tiles, ceiling tiles, and wallboard. These materials pose no risk while they remain in place but would need to be tested and, if necessary, properly removed and disposed of if the building is demolished. Ceiling tiles in the oldest part of the building tested negative for asbestos. There is an underground residential heating oil storage tank that will need to be removed as part of the development process. Soil testing has indicated no contamination associated with the tank. Phase I and Phase II Environmental Site Assessments are available as Appendix C1 and C2.

Land use entitlements

- Currently, the Property lies within a City of Portland Commercial Storefront (CS) zone with no plan district overlay. Both retail and residential uses are allowed. Under current rules, the maximum allowable structure height is 45 feet. There is a CS buffer zone overlay along the southern 50 feet of frontage along 81st Ave where a ten foot minimum setback is required. There is no minimum setback required elsewhere. The maximum allowable setback along other street frontages is ten feet. Minimum building coverage is 50%. Maximum floor area ratio is 3:1. The current CS zone requirements are in Appendix D.
- The proposed update to the Portland Comprehensive Plan designates the site as Mixed-Use Civic Corridor, and the City of Portland Bureau of Planning and Sustainability Mixed Use Zones (MUZ) Project, currently underway, could alter development regulations for the site. The site is expected to be re-zoned from Commercial Storefront (CS) to Commercial Mixed Use 2 (CM2). A summary of the proposed code is attached as Appendix E1 and the full text of the discussion draft is attached as Appendix E2. Below are some of the potential design considerations associated with the proposed zoning.
 - The proposed base height limit in a CM2 zone is 45 feet, consistent with the current CS zone. (See Section 33.130.210, Table 130-2).
 - Based on the project's proximity to a transit street, 50 percent of ground floor space may be required to be reserved for active uses including retail sales and service, office, manufacturing and production, community service, daycare, religious institutions, specified college activities, and specified medical center activities. (See Section 33.415.200 of the Discussion Draft).
 - Along the southern portion of frontage across 81st Avenue from R.25 zoned land, a 35 foot height limit may apply within 15 feet of the 81st Avenue lot line. (See Section 213.330.216 of the Discussion Draft).
 - Because of 82nd Avenue's designation as a Civic Corridor, a minimum 10 foot setback would apply to the 82nd Avenue frontage. (See Section 33.130.210, Table 130-2 of the Discussion Draft).



- No parking is required for commercial uses. For residential uses, current parking regulations allow up to 30 units to be developed without providing on-site parking; where there are 31 to 40 units on the site, the minimum number of parking spaces is 0.20 spaces per unit; where there are 41 to 50 units on the site, the minimum number of spaces is 0.25 spaces per unit. The South Tabor Neighborhood Association has expressed a preference for designs that minimize parking impacts on the surrounding neighborhood. There is no on-street parking on 82nd Avenue or Division Street. See Section 266.110 of City Zoning Code for further details of parking requirements.

Vehicular Access

Metro anticipates that the primary vehicle access to the project would be via 81st Avenue. Preliminary conversations with PBOT indicate that it may be possible to provide a right in, right out access point on Division Street, provided that there is adequate queuing distance from the intersection of 82nd Avenue and Division Street.



Transit Access

The site is currently served by two frequent service bus lines, the number 4- Division and the number 71- 82nd Avenue/Killingsworth Street.

The site will also be served by the planned Powell-Division BRT service. This service will operate between downtown Portland, downtown Gresham, and Mount Hood Community College. As part of the BRT project, TriMet will construct a station near the intersection of 82nd Avenue and Division Street. TriMet supports Metro's plans for the Furniture Store and anticipates meeting with the selected development team to discuss design and construction of the future station. More information and updates on the Powell-Division Transit and Development Project can be found at: <http://www.oregonmetro.gov/public-projects/powell-division-transit-and-development-project>

Surrounding Uses

Portland Community College's Southeast Campus is located directly across Division Street to the north of the site. West of the property is 81st Avenue, a quiet residential street with single family homes. Immediately south of the property are a single family home and a Jiffy Lube. To the east is 82nd Avenue, a major arterial with commercial uses. Metro is interested in designs that provide a sensitive transition to the adjacent single family home to the immediate south of the site.



Development Capacity

Metro worked with Johnson Economics and Myhre Group Architects to evaluate the site's development capacity. Assuming a parking ratio of 0.25 per unit for residential units and approximately three spaces per thousand square feet of commercial space, Myhre Group showed anticipated achievable programs of 28 units with 5,900 square feet for a surface and tuck-under parked project, and up to 48 units with 5,200 square feet of retail for a podium parked project. In most scenarios, housing is massed on the western portion of the site, leaving the possibility of adaptive reuse of the 1930's portion of the existing structure for retail or community uses.

As will be described later in this document, Metro's TOD program has the ability to offset some costs related to achieving higher development intensities.

A series of development studies for the site are included as Appendix F. These capacity studies reflect current zoning regulations and do not reflect the proposed CM2 zone.

The Neighborhood:

The property is located within the Jade District, a Neighborhood Prosperity Initiative (NPI) district established by the Portland Development Commission and operated by the Asian Pacific American Network of Oregon (APANO). The property is also located within the South Tabor neighborhood and adjacent to the Montavilla and Powellhurst-Gilbert neighborhoods.

The Jade District encompasses the commercial corridor surrounding 82nd Avenue from just north of Powell Boulevard to a few blocks past Division Street and along Division Street between 82nd Avenue and Interstate 205. The Jade District is a culturally diverse neighborhood with locally owned Asian owned businesses as well as significant populations of Spanish speaking, Chinese, Vietnamese, Russian, and other language groups. Ethnically, the district is 57% White, 22% Asian-Pacific Islander, 12% Latino, 7% black, and 2% Native American. Median household income is \$38,517 and 24% of households are below the poverty line.¹ APANO has been active in planning efforts for the community and is currently operating community space within the Furniture Store building.



Related Plans and Activities:

- The Powell-Division Transit and Development Project** will deliver the region's first Bus Rapid Transit service and is intended to improve travel times between downtown Portland, downtown Gresham, and Mt Hood Community College. While the project design is at an early stage, a station is planned for the intersection of 82nd Avenue and Division Street, serving Portland Community College's Southeast Campus, as well as the Furniture Store site. Refinement of the alignment is expected to occur between September 2015 and January 2016. Information on the Bus Rapid Transit project is available online at: <http://www.oregonmetro.gov/public-projects/powell-division-transit-and-development-project>



As part of the Powell-Division Bus Rapid Transit Project, the City of Portland's Bureau of Planning and Sustainability is preparing a land use **Action Plan** which includes recommendations for the Jade District. The current draft version of the Action Plan calls for improved pedestrian crossings, new pedestrian connections, and future open space and



¹ Jade District Plan, APANO, July 2014.

redevelopment of vacant lots. In particular, the plan calls for the area to retain its diverse character and provide affordable housing options for residents. A copy of the Draft Action Plan is attached as Exhibit G.

- **The Asian Pacific American Network of Oregon (APANO)** completed **The Jade District Vision Plan** (Exhibit H) in July 2014 after an extensive multi-ethnic outreach effort. The Vision Plan seeks to advance the Jade District as a vibrant multicultural district. Key priorities in the plan include improving bicycle and pedestrian connections, development of a community center, and creation of new public open space.
- Between Fall 2015 and Spring 2017, the Oregon Department of Transportation (ODOT) will be preparing the **82nd Avenue of Roses Implementation Plan**. This project is intended to identify and prioritize potential improvements to 82nd Avenue and is expected to have a broad focus including land use, pedestrian, bicycle, freight, transit and general traffic considerations. Information about the project is available at:



<http://www.oregon.gov/ODOT/HWY/Region1/pages/82ndAve.aspx>

FINANCIAL TOOLS

Metro's TOD program supports new higher-density development near high frequency and high capacity transit lines that generates more transit trips than would otherwise be generated by development at the lower densities supported by current market conditions. Metro has two potentially complementary mechanisms to support higher-density redevelopment of the Furniture Store site: 1) land value write down, and 2) purchase of a TOD easement.

Land Value Write Down

The TOD program's work plan allows land value write down in instances when TOD program-imposed restrictions reduce the land's value below the level associated with its existing highest and best use.

Metro anticipates providing a land value write down based upon long term affordability covenants imposed by Metro and agreed to by the developer. The appraised value of the property as of October 2014 is \$750,000 for the existing building and land, and \$620,000 for the land alone. Based on an analysis of the financial burdens associated with developing an income-restricted housing project on the site, a project with all units restricted at either the 60 percent Area Median Income (AMI) or 30 percent AMI levels would likely qualify for a full write down of land value. Mixed income projects would also qualify for a partial land value write-down based upon the percentage of restricted units and the level of income restriction. Metro would evaluate such proposals on a case by-case basis.

TOD Easement

A second mechanism by which the TOD program anticipates supporting the Project is through the purchase of a TOD easement. The TOD easement program provides financial support for new construction in exchange for a commitment to develop a project generating higher transit ridership than the site would otherwise support and accepting a 30 year easement committing the land owner to maintain transit supportive use at the site. Metro contributes these funds in two tranches: 50% at shell completion and 50% upon issuance of a certificate of occupancy.

The value of the TOD easement is constrained by the least of three primary factors: 1) the value of the transit ridership generated by the higher density project compared to a lower density, base case scenario; 2) the density-related construction cost premiums used to achieve this higher density, and 3) project need. In any case, the total value of combined subsidy through land value reduction and construction cost subsidy cannot exceed the value of the transit ridership compared to a base case scenario. Metro's maximum easement contribution is typically no more than \$500,000, with most projects receiving a lesser amount.

Interested parties are advised that, when combined with other forms of public financial support, the commitment of these Metro financial resource tools may result in the application of Oregon prevailing wage laws to the project under ORS 279C. 800-810, *et seq.*

TIMELINE AND PROCESS

Step 1. Submission of Qualifications

Interested parties should register their intent to respond along with any questions or requests for clarification by submitting an e-mail to Jonathan Williams, Senior Development Project Manager, at jonathan.williams@oregonmetro.gov no later than **November 5, 2015 at 5:00 pm PST**. Responses to the Request for Qualifications must be received by **December 17, 2015 at 5:00 pm PST**. Late responses will be disqualified.

Step 2. Advisory Committee Developer Recommendation

Submissions will be reviewed by an Advisory Committee which will make a recommendation to Metro. If needed, interviews will be held with selected finalists.

Step 3. Metro Approval of Development Team and Execution of Memorandum of Understanding

Following the Advisory Committee's recommendation, Metro will evaluate the recommended Development Team and, if acceptable, work to enter into a Memorandum of Understanding laying out the steps toward entering into a Disposition and Development Agreement. Conditions precedent to Metro approval of the Team include:

- introductory public open house co-hosted by Metro and Development Team;
- submission of background information including financial capacity and background verification as further described in Appendix I;
- Metro Transit Oriented Development Steering committee endorsement and Chief Operating Officer approval; and
- Metro Council approval.

Key areas to be addressed in the Memorandum of Understanding include:

- exclusive negotiating period to finalize a Disposition and Development Agreement;
- requirements for community open houses to discuss project design;
- parameters for Metro approval of development program, site plan, exterior materials, and exterior elevations;
- parameters for land value write down and TOD program contribution; and
- due diligence requirements and conditions for Disposition and Development Agreement.

Step 4. Execution of Disposition and Development Agreement and TOD Purchase and Sale Agreement

Metro's commitment to transfer the land to the development team and provide financial support to the project will be formalized through a disposition and development agreement (DDA) and a Transit Oriented Development Purchase and Sale Agreement (TOD PSA). Anticipated conditions precedent to entering into the DDA and TOD PSA include:

- developer hosting of community open houses to solicit ideas for project design;
- submission of permit application, permit plan set, sources and uses, financing commitments and other due diligence items identified in Memorandum of Understanding and as further described in Appendix I;
- securing a predetermination letter from the Oregon Bureau of Labor and Industries establishing the inapplicability of prevailing wage laws to the project;
- Metro Transit Oriented Development Steering Committee and Metro Chief Operating Officer approval of design, land value write down, TOD easement contribution and authorization to enter into a DDA; and
- Metro Council approval to enter into DDA.

Key areas to be addressed in the DDA and TOD PSA:

- final design and development program;
- land Value write down value and TOD easement value;
- timeline for performance;
- repurchase provisions for failure to perform; and
- provision of monthly construction monitoring reports and copies of all draw requests.

Step 5. Closing on Disposition and Development Agreement and TOD Easement

Conditions precedent to closing on the Disposition and Development Agreement will include but are not limited to:

- execution of financing agreements consistent with sources and uses in DDA;
- execution of construction contract consistent with sources and uses in DDA; and
- issuance of building permits consistent with plans in DDA.

Prior to entering into a Development and Disposition Agreement, the Team will be required to submit documentation of the development program, design, Team qualifications, and financing of the proposed

project to Metro's full satisfaction. A preliminary list of anticipated due diligence items is attached as Appendix I.

Summary

The timeline for the Request for Qualifications is below:

- Metro Issues RFQ– October 15, 2015
- Deadline to register interest in submitting qualifications and submit questions and requests for clarification– November 5, 2015 at 5 pm PST
- Metro target date to provide clarification to submitted questions– November 12, 2015
- RFQ Closes– December 17, 2015 at pm PST
- Review of Submissions– Target date of Week of January 2, 2016
- Interviews and recommendation to Metro (if needed)– Week of January 9, 2016
Metro review and approval of developer recommendation– Target February 2016
- Enter in Memorandum of Understanding– Target February 2016
- Enter into Development and Disposition Agreement and TOD Purchase and Sale Agreement– Target January 2017
- Groundbreaking– Target 2018 or sooner

SUBMISSION MATERIALS AND SCORING:

Required submission materials are listed below. Submissions deemed incomplete may be disqualified at the sole discretion of Metro.

General

- Name of primary contact and contact information for the Team;
- Statement explicitly agreeing to the General Conditions set forth in this RFQ; and
- Dated signature of executive or manager authorized to enter into contracts on behalf of the development team.

Part 1. Experience (40 points)

Metro is seeking a team with a strong track record of developing financially successful projects with affordable components, and the capacity to undertake a complex project on a constrained urban site in a culturally diverse community. Please provide the following materials documenting the experience which qualifies your firm to successfully develop the project site:

- 1) Project sheets from up to five previous projects of similar complexity. Please include: address, total budget, unit mix, financial sources used, affordability restrictions, photos, and key project team members. *Maximum five pages.*

- 2) Description of past experience designing and developing projects that respond sensitively to culturally diverse environments including identification of team members involved (i.e. architect, developer) in the identified project or projects. *Maximum two pages.*
- 3) Bios for project manager and identified critical team members along with their proposed roles on this project. *Maximum three pages.*
- 4) Schedule of properties in portfolio including Debt Service Coverage ratios, unit count, and current occupancy percentage.
- 5) Firm descriptions for developer and architect. *Maximum two pages.*

Scoring criteria:

- Do the development firm and identified individuals have experience developing financially successful projects of similar size, nature and complexity? *Maximum 30 points.*
- Do the developer and architect have a successful track record of designing and developing projects that respond sensitively to culturally diverse environments? *Maximum 10 points.*

Part 2. Development Program (30 points)

Metro is seeking to achieve a mixed-use building with affordable units with a design and active ground floor use that contributes to the pedestrian realm. Metro's goal is to maximize utilization of the site while ensuring the building fits well within the surrounding neighborhood, leverages anticipated bus rapid transit (BRT) service and minimizes parking impacts. Metro is also interested in exploring the feasibility of preserving or incorporating the 1930's art deco façade facing 82nd Avenue. Financial feasibility is a threshold requirement. Metro will be the sole determiner of financial feasibility and will disqualify responses not deemed to be feasible. Please provide the following documentation of your team's anticipated approach to developing the site:

- 1) Massing drawing showing potential scale and site configuration including any outdoor space and parking. *No materials or architectural details to be shown.*
- 2) Program summary including: envisioned unit count and approximate building square feet, envisioned square feet of retail or community space and envisioned number of regulated affordable units with income level and duration of income restriction. *Maximum 2 pages.*
- 3) Program narrative describing your team's vision for the site including anticipated approaches to identified challenges (such as parking, access, transitions to neighboring residential uses) and opportunities (such as planned Bus Rapid Transit, the neighboring PCC campus, a culturally diverse neighborhood and the art deco facade) towards achieving a project that works well for residents, pedestrians, and neighbors.
- 4) Preliminary funding sources and uses and 5-year operating proforma with description of any grants, tax credit programs or other anticipated subsidies.

Assumption to use for property acquisition price: For development programs with all residential units income restricted at 60% of AMI or less, please assume a full write down of land acquisition costs. For development programs with a mix of market rate and income restricted units, please assume a proportional write down such that a fully market rate project would have a land value of \$750,000 and a project with half of units at 60% of AMI or less would have a land value of \$375,000. ***This approach to calculating the Land Write Down is a simplified approach to be used solely for the preparation of this response to this developer solicitation and the actual value of any Land Value Write Down would be subject to review and recalculation by Metro staff based on additional considerations including projected ridership associated with the development program, project need, a third party appraisal, and a financial analysis of the project.***

Assumption to use for TOD Easement contribution: To estimate the potential value of direct TOD program support, please estimate the cost of elevators, podium or tuck-under parking structures and fire separation between public/retail space and residential areas. It is expected that the maximum TOD program direct contribution would not exceed \$500,000. These funds would be available in two tranches, half at shell completion, and the balance upon issuance of the certificate of occupancy. ***This approach to calculating the TOD Easement contribution is a simplified approach to be used solely for the preparation of this response. The actual value of any TOD Easement would be subject to review and recalculation by Metro staff based on additional considerations including projected ridership associated with the development program and project need.***

Scoring criteria:

- Financial feasibility- **Financial feasibility is a threshold requirement.** Metro will be the sole determiner of financial feasibility and will disqualify responses not deemed to be feasible.
- Site understanding and approach- Metro is seeking a developer that understands the challenges and opportunities associated with the site and offer a thoughtful response to the site's context. *Maximum 10 points.*
- Site utilization- Metro is seeking a project that maximizes opportunities for people to live near transit while achieving a project that fits within the surrounding neighborhood. *Maximum 10 points.*
- Commitment to affordability- Metro is seeking a project that offers long term affordability to people of low to moderate incomes. *Maximum 10 points.*

Part 3. Values (30 points)

Metro is seeking a developer with experience and a commitment to development processes that embrace community values. Please describe how your team will address the values of diversity and inclusion and neighborhood engagement as follows below.

- 1) **Diversity and Inclusion (10 points/maximum one page).** Metro is seeking a developer with a robust approach to diversity and inclusion, including use of Women Business Enterprises (WBE) and

Minority Business Enterprises (MBE) and proactive efforts towards ensuring local residents have the opportunity to apply for housing in the project. Please describe:

- Your team's proposed approach to advancing opportunities for State of Oregon certified Minority Business Enterprises and certified Women Business Enterprises and your targets for subcontracting as a percentage of construction costs for each of these categories. The developer selection committee for this project has expressed an interest in achieving 20% combined MBE and WBE participation as a percentage of construction costs.
- Your team's approach to ensuring that local residents are aware of and have the opportunity to apply to live in the project.

- 2) **Neighborhood Engagement (10 points/maximum one page).** Metro is seeking a developer with a commitment to neighborhood engagement. Metro anticipates requiring the selected developer to participate in at least one community workshop prior to finalization of any development agreement and to commit to further opportunities for community engagement during the design process. Expressed neighborhood interests include minimizing parking impacts, desire for a culturally relevant design, preservation of the 1930s Art Deco façade, and appropriate transitions to the neighboring single family neighborhood and the adjacent single family home. *Please describe your proposed process for engaging neighborhood residents and incorporating their values into the design process. Please describe past efforts to solicit and utilize community input into your design processes and the results of those efforts.*

- 3) **Community and Collaboration (10 points/maximum one page).** Metro is seeking a built project that enriches the local community. Local institutions including Portland Community College's Southeast Campus and the Jade District have expressed interest in exploring opportunities for collaboration at the project site. Community members have expressed interest in neighborhood-serving retail, cultural space or community uses. *Please describe any opportunities you anticipate pursuing for providing community or cultural space, opportunities for local small business, opportunities for neighborhood-serving retail or other ways in which you envision the project contributing to a vibrant community. Please describe how you would evaluate potential opportunities and describe those opportunities which you believe to be achievable for the project.*

GENERAL CONDITIONS

1. This RFQ is not a solicitation of competitive proposals or competitive bids. Metro specifically reserves the right in its sole discretion to determine which development team best satisfies the selection and scoring criteria, and to:
 - Revise the solicitation, evaluation, or selection process including extending the deadline or canceling the process entirely without selecting any Projects, by providing written notice to respondents.
 - Request additional information from any and all prospective Respondents if helpful to clarify any information contained in the proposals.

- Specify additional terms and conditions at any time either before or after responses are submitted.
 - Accept or reject any one or all proposals received as a result of this RFQ, to waive formalities and irregularities, and to conduct discussions with all responsible respondents, in any manner necessary, to serve the best interest of Metro.
 - Modify the selection process set forth in this RFQ upon written notification to all respondents who have not been rejected at the time of the modification.
 - Disqualify **without recourse or appeal** any or all responses to this RFQ, with or without cause.
 - Keep all responses submitted in connection with this RFQ, without restrictions on future use.
 - Determine the timing, arrangement and method of any presentation throughout the process.
 - Verify and investigate the qualifications and financial capacity of the development team, and any of the information provided in the proposal.
2. Every effort has been made to provide current and correct information; however, unless citing a specific Metro approved resolution or plan, Metro makes no representation or warranty with respect to the accuracy of any of the information provided in this RFQ. Respondents are instructed to independently verify all information provided herein.
 3. Development teams are restricted to one response to the RFQ.
 4. All responses received will become official public records subject to inspection by the public in accordance with ORS 192.502 and Metro's public records policy after the completion of the RFQ process; and may be used for any purposes relevant to the decisions and actions undertaken by Metro.
 5. Financial and business information submitted to Metro marked "confidential" will be considered by Metro to be a confidential disclosure under Oregon public records laws. Metro will protect this information from public disclosure to the extent permitted by Oregon law. However, Metro cannot guarantee confidentiality.
 6. Every effort has been made to include all the information necessary to prepare and submit a comprehensive response to this RFQ. However, in the event additional information is desired, please contact Jonathan Williams, Senior Development Project Manager. Any questions and answers will be shared with all applicants to improve clarity.
 7. Development teams are cautioned not to undertake any activities or actions during the course of this RFQ to promote or advertise their proposals except in the course of Metro-authorized presentations; or to make any direct or indirect (through others) contact with evaluation committee members (if named) or Jade District, APANO or South Tabor Neighborhood Association members or representatives. Failure to abide by these restrictions may be grounds for disqualification.
 8. Metro accepts no responsibility or obligation to pay any costs incurred by any responders in preparing and submitting responses to this RFQ, or submission of a proposal or in complying with any subsequent request by Metro for information or participation throughout the evaluation process.

9. For a period of one year after their separation from employment, no former Metro employee shall in any way be part of a development team in this RFQ if such employee participated personally and substantially in the proposed project during the employee's term of employment at Metro. If such employee "exercised contract management authority" in the proposed project, s/he may never be part of a development team in this RFQ for the proposed project regardless of their length of separation from Metro. Failure to abide by these restrictions is grounds for disqualification.