

Lincoln City

Central Oregon Coast

REQUEST FOR EXPRESSIONS OF INTEREST

FOR

**Eight Redevelopment Sites
in Lincoln City, Oregon**

**“Achieving the Community Vision...
at the Beach”**

Issued February 1, 2018 by

City of Lincoln City & Lincoln City Urban Renewal Agency

**DEADLINE FOR SUBMITTALS:
Thursday, March 15, 2018, 2:00 p.m.**



Lincoln City is a classic Oregon Coast town, with a difference. We are located where the 45th parallel meets the Pacific Ocean, offering that small beach town vibe, but also a full seven-miles of walkable sandy beach. Our city goes along those seven miles, offering a town big enough to explore with unexpected surprises around every bend.

Lincoln City comprises seven commercial and neighborhood districts nestled around the historic Highway 101. Each was a town which was brought into the fold and incorporated as the City of Lincoln City. These historic districts each have a distinct personality with roots in art, commerce, surfing, fishing, and tourism: Roads End, Wecoma Beach, OceanLake, DeLake, Nelscott, Taft, and Cutler City, are known as our “String of Pearls.”

Established in 1988, the Lincoln City Urban Renewal Agency mission is to eliminate blight and counter the causes of depreciating property values within designated areas. To do so, Urban Renewal strives to attract job producing private investments that will improve property values, enhance the area’s visual quality, and leverage our location on the Pacific Ocean -- all in a manner which will be compatible with Lincoln City’s natural and built setting.

For more information about the City, the URA, or this Request for Expressions of Interest (RFEI), please contact:

Alison Robertson
Director, Lincoln City Urban Renewal Agency
Lincoln City Economic Development
PO Box 50
Lincoln City, Oregon 97367
(541) 996-1095



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INTRODUCTION

The City of Lincoln City (“City”) and the Lincoln City Urban Renewal Agency (the “URA”) seek expressions of interest from creative, experienced development teams to redevelop eight properties located within Lincoln City. Four of the properties are owned by the City; four are owned by the URA. Each of the eight properties possesses its own challenges, but also tremendous opportunity. The City and URA are seeking expressions of interest to develop these properties in a manner that provides Lincoln City with iconic businesses which will inspire additional growth and development around them. We are looking for developers with imagination and creativity coupled with business savvy. We are hoping for business partners who will deliver distinctive design and business offerings that will draw visitors and new residents from our core markets of Portland and Salem – and beyond. We want these new anchor properties to inspire civic pride among our citizens.

In short, we are looking for developers who are aspiring to greatness, who want to make their mark on our city, and who appreciate the natural beauty and amenities that frame our town.

Lincoln City is not only one of the largest cities on the Oregon Coast, but also one of the most dynamic. The City is relatively new – dating to 1965, when the independent communities of Taft, Nelscott, DeLake, OceanLake, Wecoma, and Cutler City joined together to form our city.

With only 51 years behind us, Lincoln City is still developing, still full of opportunity, still realizing its full potential. Our full-time resident population is 9,000 people, but on a summer weekend Lincoln City swells to 35,000. Our largest industry is dedicated to hosting guests to our town. We are a popular tourist destination, but also a place for coveted beach getaway homes. Many lifestyle entrepreneurs have second homes and offices here in Lincoln City, enjoying coastal living as much of the year as they can.



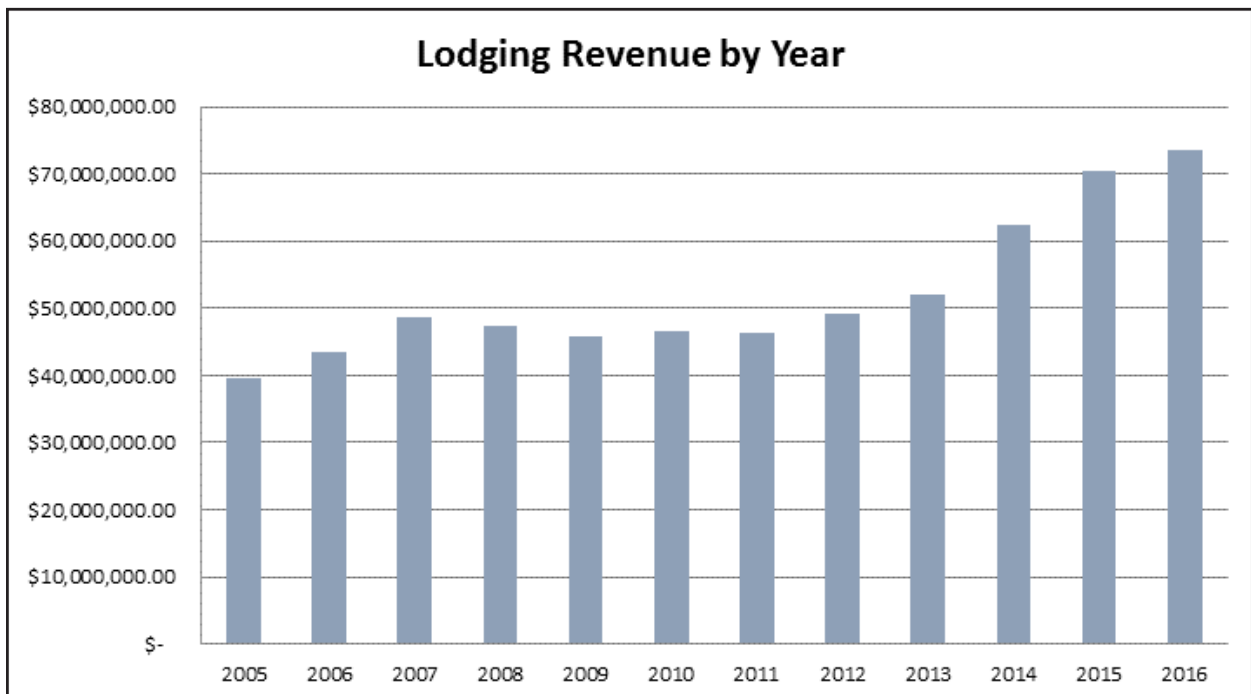
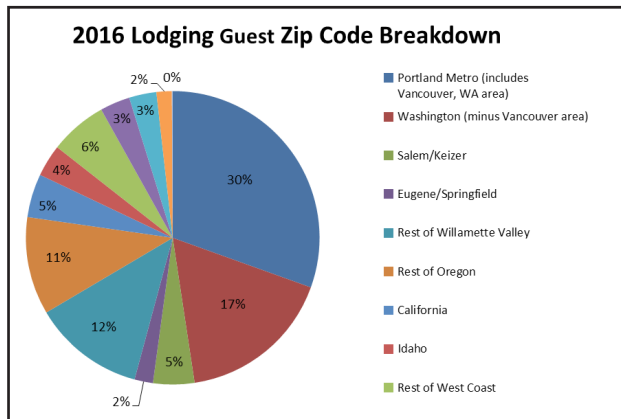
We have a vibrant art scene, a Culinary Center specializing in regional cuisine, scores of restaurants, local theatre, a music scene, a cultural center, seven miles of uninterrupted walkable beach, a casino resort and proximity to major, growing urban areas. Portland is less than 90 miles away and Lincoln City is the best straight shot to the coast. We are in a perfect position to offer unprecedented opportunities to the right development partners.

Lincoln City is poised to be Oregon’s premiere coastal town. We are looking for partners who can help make that happen.

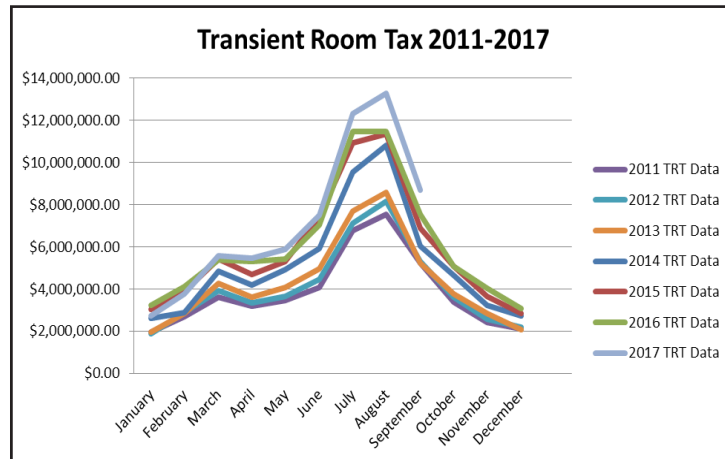
Economic Snapshot

We are Portland’s beach, and Salem’s too. Plus we attract guests from Washington, California, and Idaho. As word gets out, our visitor base continues to expand.

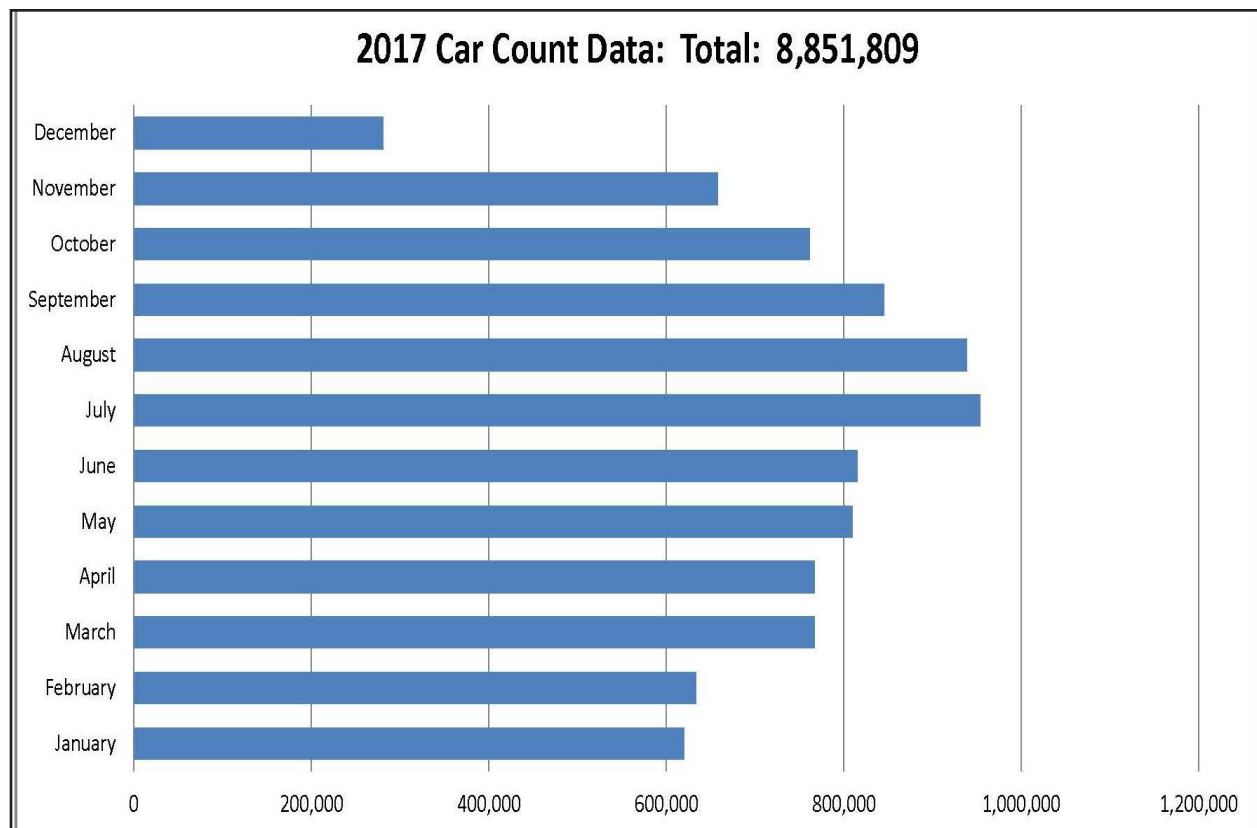
You’ll find Lincoln City to be recession-resistant. Even during the Great Recession, we saw little negative impact on visitation and general economic activity here. This is shown in the graph below, Lodging Revenue by Year



Economic activity in Lincoln City is seasonal, but indicators show that we are experiencing sustained growth throughout the year. The Transient Room Tax Chart for the years 2011 to September of 2017 shows the seasonal summer economic spike, but nonetheless millions monthly during the fall, winter, and spring seasons.



Our main street is Highway 101, the Scenic Pacific Coast Highway, which delivers a tremendous amount of traffic and exposure to Lincoln City businesses. Close to nine million cars come through annually, giving us exposure to well over 20 million people. However, our most successful businesses are those adept at pulling people off of Highway 101 and into their front door. We offer unparalleled opportunity to retail stores with a strong storefront statement.





The Properties

The eight properties open to developers were acquired over several years – each one representing an opportunity to serve various community priorities related to economic vitality, housing choice, and quality urban design. Each property is owned “free and clear”. A brief summary of each property along with observations about the City’s or the URA’s objectives is provided in Section 4.

The redevelopment of these strategically located sites has the potential to contribute significantly to the growth and character of Lincoln City. The complete criteria on which the City or its URA will base their developer selection is set forth in Section 5 of this offering.

Development Offering Overview

This offering is intended to be very flexible. The City and the URA are not seeking detailed proposals or architectural plans for any of the sites, although they will not reject any specific proposals that developers or others may seek to put forward. Rather, the City and the URA seek expressions of interest from developers, business owners, or others who have a compelling vision for the sites (including preliminary thoughts about programming, phasing, and deal structure) and who can demonstrate the capacity and experience to deliver on that vision.

To varying degrees depending on the site, the City and URA are open to a broad range of ideas and uses – new mixed use development, hotels, attractions, residential serving a variety of income levels, retail, commercial and/or office. They welcome a variety of options regarding phasing of development where applicable. Submitted responses can affect one or multiple sites. The City and the URA welcome responses to this RFEI which affect not only the sites in question, but which incorporate other nearby parcels as well. There is a broad range of possible deal structures that the City and the URA will consider – outright purchase, land sale contract, ground lease, land exchange, lease with an option to purchase, or some form of joint venture.

Moreover, the City and the URA have identified a variety of measures they will consider to assist in the feasibility of the project, depending on the developer's responsiveness to the City/URA's objectives. These measures are summarized starting on page 2-1.

Simply put, the City and the URA seek teams that can demonstrate the capacity to deliver projects that best fulfill the goals expressed in the Selection Criteria.

This RFEI sets forth the City's and the URA's intentions for each site, including the selection criteria, selection process, and other information and requirements. Once they have selected preferred teams, the City and the URA intend to enter into exclusive negotiations with those teams, with the intention of initiating at least the first phase of development for some properties as early as late 2018. Others may require longer periods of due diligence.

**The deadline for responses to this RFEI is
Thursday, March 15, 2018 at 2:00 p.m.**

**Responses should be addressed to:
Alison Robertson, Director
Lincoln City Urban Renewal Agency
PO Box 50
Lincoln City, Oregon 97367
ARobertson@LincolnCity.org**

**The City/URA will conduct an optional pre-submittal meeting on
Thursday, February, 15, 2018, at 2:00 p.m.
at the City Council Chambers,
801 SW Highway 101, 3rd Floor,**

followed by a tour of the eight properties. City/URA staff will provide a project overview, and discuss goals, expectations, and partnership opportunities. The meeting and tour are not mandatory, but prospective respondents to this RFEI are encouraged to attend.

**Those who want to participate in the tour should contact
Pam Wiren
PWiren@LincolnCity.org
no later than Monday, February 12th, 2:00 p.m.**



DEAL & PARTNERSHIPS

Deal Structure Options

The City and URA are open to a variety of possible deal structures for the projects, including those listed below. The following list is not intended to be exhaustive, nor is there any priority in the order of ideas listed. Whatever deal structures are negotiated will be memorialized in a binding Development Agreement.

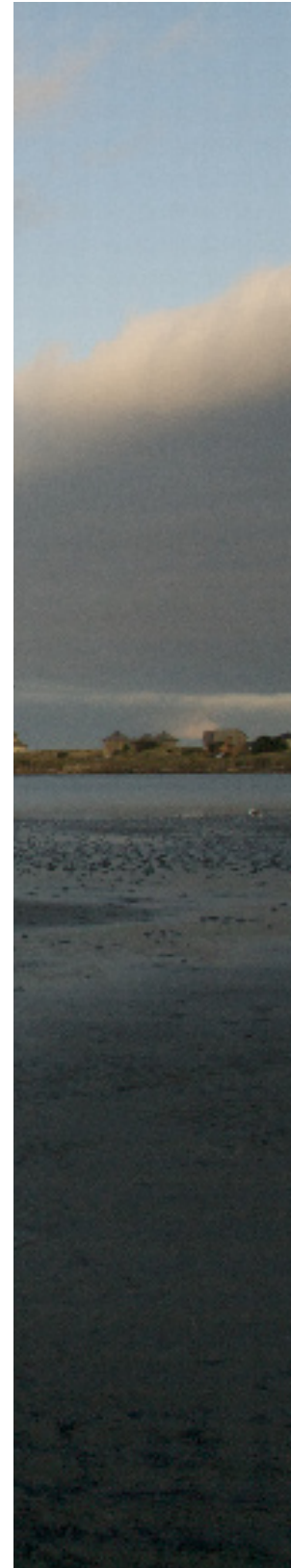
- Standard Purchase and Sale. The City/URA sells the property to the developer team, either for cash, or seller-financed. Note that, under state law, the City or the URA may dispose of land for what they in their discretion determine to be fair reuse value. This value may be set to assure that the property is developed or otherwise used to best carry out the purposes and goals specified in its urban renewal plan.
- Ground Lease/Long Term Lease. The City/URA enters into a long term lease agreement with the developer team. Such a lease agreement might include an option-to-purchase.
- Joint Venture. The City/URA enters into a joint venture with the selected developer team, with the land serving as the City's/URA's contribution to the Joint Venture.
- Sale/Lease Back. The City/URA sells the property to developer at a discounted rate, and then leases a portion back to receive rentals from commercial tenants through subleases.

Possible Public Assistance

The City/URA anticipate the redevelopment of these sites may require a public-private partnership to achieve their goals. While the City and URA have limited resources available, the following is a preliminary list of possible funding tools they have identified. Please note there is no definitive commitment to these tools or forms of assistance. However, the City and URA are committed to working with the selected developer teams to secure the funding necessary to create a development that aligns with their aspirations. The tools may include:



- Land/Lease Write-Down. The City and URA will consider offers which entail a discounted sale price (or lease payment), as long as the City/URA determine, in their sole discretion, that the resulting development satisfies goals set forth in the Urban Renewal Plan and other guiding document as applicable.
- Urban Renewal Economic Toolbox. For the four URA-owned sites (as well as the SW 4th Street Property with the TND Building, which is owned by the City, but falls within the boundaries of the URA), the URA will consider a limited use of funds to assist with the projects. Urban Renewal funds may be used for a variety of purposes, including pre-development work or technical studies such as environmental, geo-technical, appraisals, preliminary design; infrastructure and off-site improvements; permit fees; system development charges; and gap financing (such as low interest loans or subordination of debt). The URA is open to other ideas for the use of its funds, subject to availability and the proposed use of funds being consistent with the Urban Renewal Plan.
- Assistance with Other Financing Sources. The City/URA will provide letters of support to developer teams seeking other potential financing sources for the project, including but not limited to conventional loans, New Market Tax Credits, EB-5 financing, HUD 221(d)(4) loans, and Low Income Housing Tax Credits.
- Existing Technical Studies. The City/URA will provide copies of all reports and technical studies in their possession, including environmental, title report, survey, and appraisals.
- State Workforce Housing Competitive Funding. The City and URA applied for predevelopment funding from the State's Workforce Housing Fund. If it is successful in securing these funds, the City will use these funds for one or more of the sites in this RFEI, as long as the affected project incorporates workforce housing (60-120% of Median Family Income).
- Vertical Housing Tax Abatement. The City will consider forming a Vertical Housing Development Zone for eligible sites. Under this program, mixed use projects featuring at least two floors of housing over ground floor street-facing commercial use are eligible for a 10 year tax abatement of 40% - 80% of improvement value (depending on the number of floors of residential use).
- Enterprise Zone. Enterprise Zones are a State-authorized incentive under which certain uses are eligible for a 3 or 5 year property tax abatement on new improvements. While none of the sites currently fall within the boundaries of Lincoln County's Enterprise Zone, it is possible that the





County could amend the boundaries of its E Zone. Hotels are one of the eligible uses – but again to qualify for the E zone, the County would have to amend its existing E zone boundary and list of authorized uses.

- Systems Development Charge Financing or Credits. The City will consider financing SDCs, and/or subordinating financed SDCs to other debt. This could be paid using developer funds, City/URA funds or a combination of both. Moreover, some developer-funded off-site improvements may qualify for SDC credits, though this may require a revision to the City’s SDC ordinance.

- Systems Development Charge Deferral. The City Council may defer payment of SDCs for certain uses that it deems to be “lacking and urgently needed.” Only public and non-profit entities may seek the deferral, which defers SDCs for ten years (with extensions subject to future Council action). Deferred SDCs would be due either upon expiration of the deferral or change to a different use.

- Transfer Development Credit. The City owns a large development (Villages at Cascade Head) with 1,800 approved housing units. The City will consider allowing TDCs from this “bank” to provide density bonuses and incentives for eligible projects or project attributes. Some development code changes will be required to implement such a Comprehensive Plan policy.

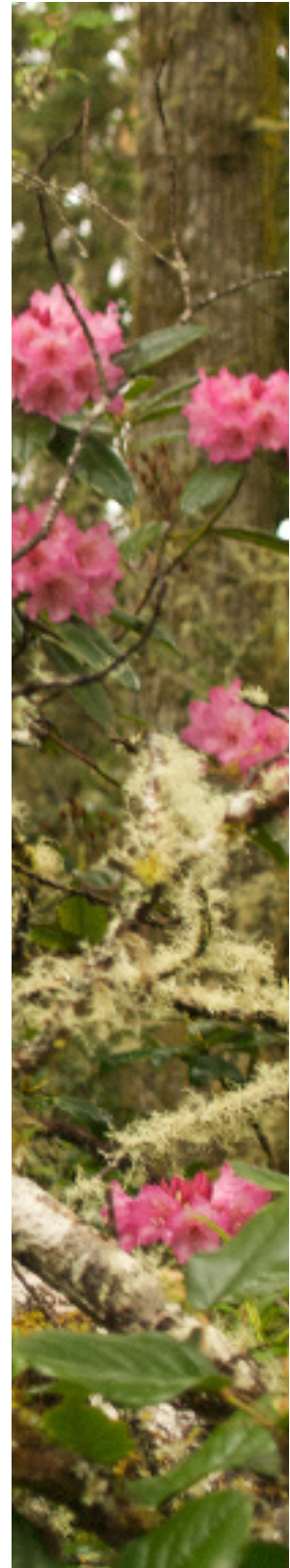
- Development Code Modifications. Successful respondents to this RFEI may propose a use or activity that requires modifications to the development code. The City is open to modifying the code as warranted. Modifications may be necessary to achieve a superlative project – i.e., the City encourages developers to pursue projects which comply with the current code unless it can be demonstrated that revised codes will result in a project which better supports the City’s objectives.

- Workforce Housing Programs. The City, URA and their local affordable housing partners, offer several incentives for workforce housing. These incentives may include project-based Section 8 vouchers through our local housing agencies; SDC deferral (described above); and Urban Renewal assistance in partnering with workforce housing developers for properties located within the Urban Renewal District boundary.

- Assistance in Negotiations. The City/URA will assist the team in negotiating any necessary agreements with other property owners, related to use of off-street parking, shared driveway access, as examples.

In addition to various forms of financial assistance noted above, the City/URA will consider providing other forms of assistance to the developer team:

- Zoning & Entitlements. The City/URA will work with the selected developer team to make sure the permitting process goes forward efficiently.
- Community Relations. The City/URA will work with the selected developer team to coordinate communications with the community and build community support for the ultimate development of the site.
- Unforeseen Challenges. The City/URA recognizes that once the development process is initiated, unforeseen challenges may arise. The City and URA are committed to quick characterization and resolution of any such challenges.



CONTEXT

General Background Information

Lincoln City was formed in 1965 when six smaller communities (Wecoma Beach, OceanLake, Delake, Nelscott, Taft, and Cutler City) incorporated into a single city. Today, with the recent annexation of Roads End, there are nearly 9,000 residents – and the population swells to 35,000+ during much of the summer and shoulder seasons.

Lincoln City benefits from its proximity to major population centers – Portland and Salem are within two hours. Tourism and recreation are major components of the City’s economy. There are over 2,000 hotel and motel rooms and VRD (Vacation Rental Dwelling) units. There are also dozens of restaurants, and many shopping experiences including the Lincoln City Outlet Mall.

Lincoln City is one of the most prominent arts and cultural centers on the Oregon Coast. It is home to the Siletz Bay Music Festival, which offers a variety of music performances during the summer season and the Winterfest concert series. City residents are proud of the Lincoln City Cultural Center (501)(c)(3), located in the City’s 1929 Victorian brick DeLake School Building. Concerts, classes, lectures, and other cultural events are held throughout the year. Just 10 miles north of Lincoln City is the Sitka Center for Art and Ecology, founded in 1970. Lincoln City residents also love the outdoors – in 1998 they approved a \$3M open space bond resulting in the acquisition of 400 acres of parks and open space for passive recreation.

One is never far from the shore in Lincoln City. Lincoln City boasts 7 miles of beaches, the spectacular Cascade Head, Devils Lake – and the shortest river in the world – the D River. Lincoln City is the “Kite Capital of the World,” hosting two major kite festivals (one in the summer, one in the fall). The popular Finders Keepers program attracts visitors from near and far, searching for glass floats hidden on the beach. The Lincoln City Glass Center, located in the City’s 1946 Ballard Motors Building, is another popular destination for residents and visitors alike to make their own glass art piece or float.

New investment occurs in 2018 as the City continues to grow. The Samaritan North Lincoln Hospital will begin constructing a new \$30M facility to replace its old hospital, and the City will begin constructing a new police headquarters. The City’s Driftwood Public Library underwent a \$900,000 improvement project. The Lincoln County School District has recently acquired property in North Lincoln County for a new school.



Zoning / Regulatory Framework

Thumb-nail descriptions of the eight sites in Section 4 include brief highlights about zoning for each site. A more detailed summary of zoning is found in a separate attachment and is available on the project website at www.lincolncity.org/propertydevelopment.

Section 4 also identifies a variety of regulatory issues for each of the sites, again with more detail available on the project website. Lastly, the City's System Development Charges are available on the project website .

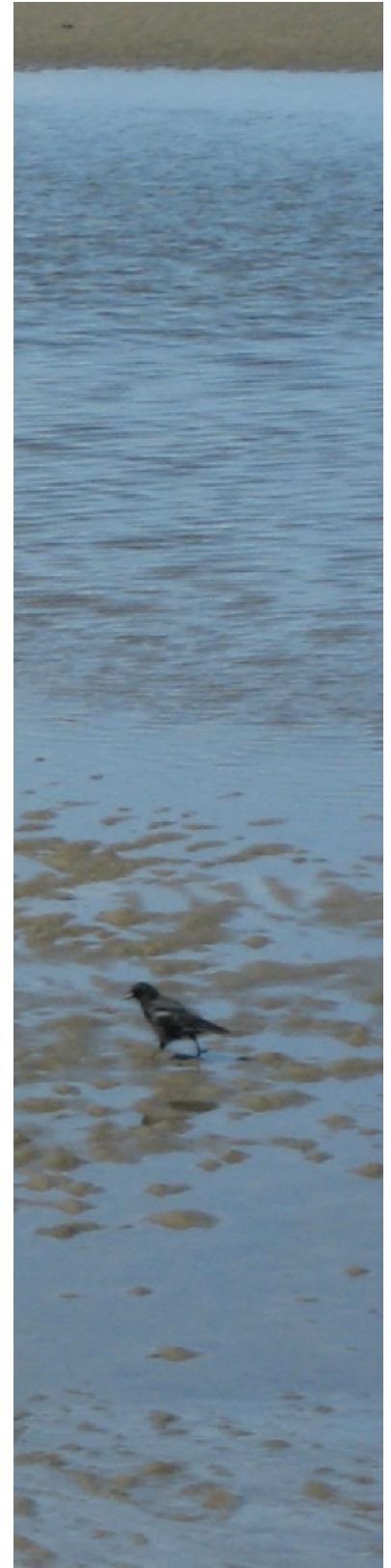
www.lincolncity.org/propertydevelopment

Supplemental Materials

The City and URA have assembled several supplemental documents related to this project, on its website at <http://www.lincolncity.org/propertydevelopment>. To review or purchase hard-copies of any relevant documents or for any other questions related to this RFEI, please contact Alison Robertson, (541) 996-1095, or arobertson@lincolncity.org.

Some of the documents available for review include:

- Lincoln City Urban Renewal Plan (adopted 1988; amended most recently in 2014)
- Lincoln City Urban Renewal – 1988-2016 Achievements
- Lincoln City Economic Opportunity Analysis (EOA) / Housing Needs Assessment (HNA) (2017)
- Summary of Lincoln City Housing (Townsend, 2016)
- Level 1 Environmental Assessments
- NW 15th Street Concept Studies (Development Feasibility Analysis & Development Flyer) (Crandall & Arambula, 2012)
- Zoning Summary
- Historic Context Statements
- System Development Charge Sheet
- Business Gap Analysis (ECONorthwest, September 3, 2015)
- General and Specific Maps





Demographics, Housing & Employment Facts, Schools & Transportation

The following information is derived primarily from the “Lincoln City Economic Opportunity Analysis & Housing Needs Assessment” (April 2017), which can be viewed at:

http://www.lincolncity.org/vertical/sites/%7BD5C39B4D-9F7A-4251-AEA0-F594E7F89DDB%7D/uploads/LINCOLN_CITY_EOA-HNA-BLI_-_FINAL_WITH_APPENDIX.pdf

- **Population:** 8,722 (estimated, 2016), with an average annual growth rate of 1.4%

- **Median Family Income (2015):** \$35,524 (growing at an annual rate of 2.4%). The County-wide average MFI is \$42,429.

- **Home Sales Values:**

The Average Single Family Home Value was \$212,000 using data from 2010-2014, so this is likely a conservative estimate.

In 2016 there were 172 home sales. 41 of those were listed at 80%-120% of Median Family Income (\$169,000-\$252,000) for an 8 month inventory. Another 15 of those were listed at \$252,000-\$300,000 during the same 8 month inventory. Higher priced home figures occurred for longer inventory periods.

- **Average Monthly Apartment Rent** is \$787 per unit, but a significant number of units have rent in excess of \$1,000. This translates to about \$1.20/sf for newer product although the average age of surveyed units is 35 years since there are few new units. No new apartment units had been built for more than 10 years until 2014. Between 2014 and 2016, 86 new apartments were built. The City recently took in a building permit application for a 30 unit apartment project. Another 27 apartment units have gone through the pre-application process, but it is not clear whether these will be built. There is a strong demand for multi-family units, with the vacancy rate for existing units being at or close to zero.

• **Housing Supply:**

- 61% single family;
- 19% multi-family;
- 10% townhouses/attached;
- 10% mobile homes.

There are a total of 5,734 housing units – with demand for 1,000 new permanent housing units (i.e. not including vacation rentals and “second homes”) over the next 20 years. That figure rises to 1,800 units if a quarter of the nearly 3,000 workers who live more than 25 miles away from Lincoln City can move into the City.

• **Hotels/Motels:** Occupancy 70% annually (varying over the seasons). The City’s 2017 Economic Opportunities Analysis (EOA) estimates a demand for an additional 1,600 rooms in the next 20 years.

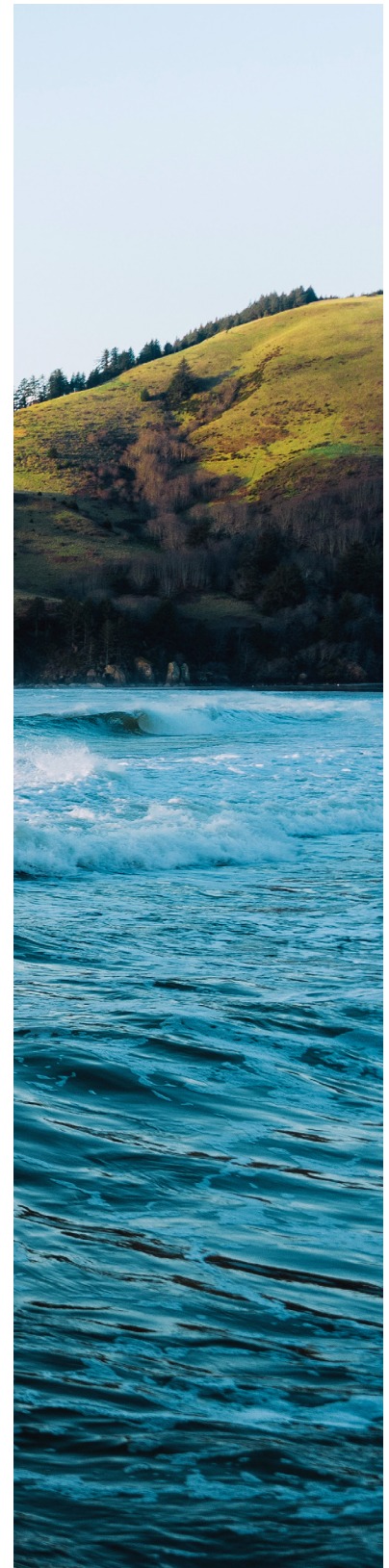
• **Employment:** The EOA also projects employment growth of 1,567 – 1,730 new jobs in the next 20 years.

Major employers include:

- Chinook Winds Casino/Resort (809 employees/782.75 FTE)
- Lincoln County School District (541 employees/103 FTE – most employees work on academic year)
- Samaritan Lincoln North Hospital (382 employees/302.5 FTE)
- City of Lincoln City (129 employees / 122.25 FTE)
- Safeway (135 employees / 107.5 FTE)
- Meredith Lodging (30 employees)

• **Schools:** Several institutions serve the educational needs and interests of Lincoln County. The Lincoln County School District (LCSD) is proud of its many award-winning and nationally certified teachers and counselors. Lincoln City is home to several private schools that provide a variety of education choices. There is a branch campus of Oregon Coast Community College, with which LCSD has a close relationship, helping place high school students in career opportunities while finishing their coursework.

• **Transportation:** Highway 101 is the spine of Lincoln City’s transportation system. Highway 18, located just three miles north of town on Highway 101, connects Lincoln City to Portland, Salem, and points beyond. There is regular transit service, with buses connecting Lincoln City to Newport, Tillamook, Hillsboro, and Portland International Airport. There is also a private shuttle service directly connecting Lincoln City to Portland International Airport.





Urban Renewal

Lincoln City's Urban Renewal Agency was formed in 1988 as part of the Year 2000 Plan, the over-arching purpose of which is to "generate job-producing private investments that will improve property values and visual quality in a manner compatible with the City's natural and built environments." The Plan includes nine goals and objectives:

- Resolve the problems created by existing blighted conditions so that unused and underused properties can be placed in productive condition and utilized at their highest and best use.
- Enhance opportunities for business and tour-related property to be developed, redeveloped, and/or improved.
- Ensure that traffic flow, off-street parking, and other public facilities within the Urban Renewal Area are adequate to accommodate current and future development.
- Improve the area's visual quality consistent with that of the Oregon Coast's natural environment.
- Encourage the expansion and development of businesses that will produce jobs for the people of Lincoln City.
- Increase property values so that the Area will contribute its fair share to the costs of providing public services.
- Leverage the Agency's financial resources to the maximum extent possible with other public and private investment and other funding.
- Underground existing overhead utility systems along the Highway 101 Corridor.
- Install coordinated street furniture, pedestrian-scale lighting, walking surfaces and landscaping in areas with concentrated pedestrian activity.

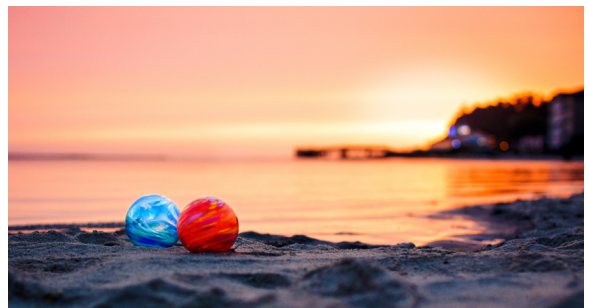
Since its inception in 1988, the Lincoln City Urban Renewal Agency has invested approximately \$43M in capital improvements working to implement these goals and objectives.

These investments include: road and pedestrian enhancements; traditional ornamental lighting and other street furniture; public parking facilities; transit facilities and electric charging stations; traffic calming medians and crossings; gateways and neighborhood signs; public art; parks and plazas; interpretive signs; enhanced beach accesses; and utility undergrounding. These improvements to the public realm have beautified the areas in which they are located, while at the same time, making Lincoln City's commercial areas safer and more convenient for pedestrians. A variety of programs provide funding to leverage private investment, including façade improvement loans, energy efficiency loans, business expansion loans, and a local economic development program support grant.

Urban Renewal dollars have also helped accomplish some of the area- and site-specific redevelopment studies cited elsewhere in this RFEI. Finally, some of the most impactful investments that urban renewal has helped to fund over the years include the North Lincoln County Historical Museum, the Jennifer L. Sears Glass Foundry, the Delake Cultural Arts & Activities Center, and last but not least – America's "Gnarliest Skatepark in the World"(Thrasher Magazine, 1999).

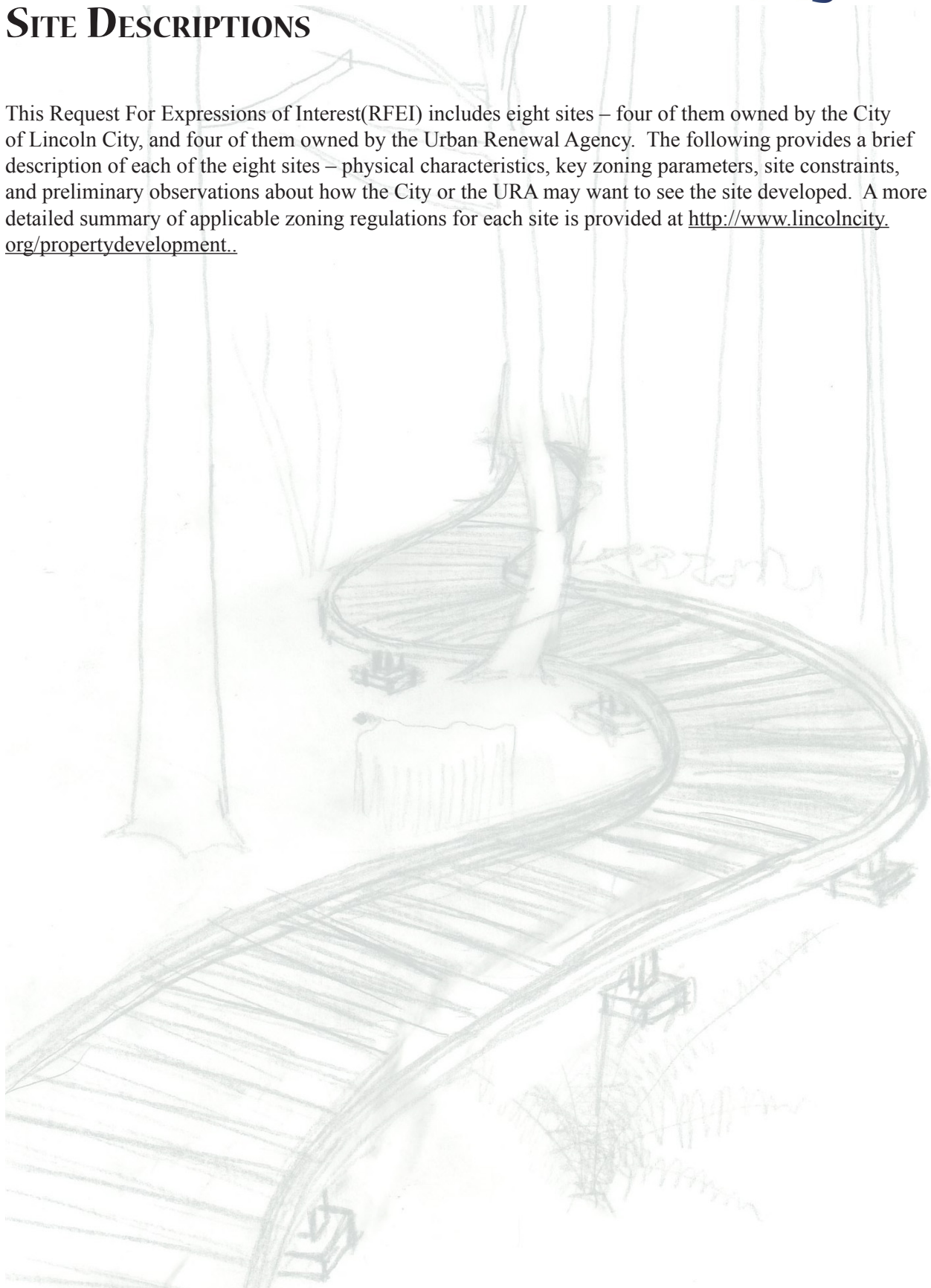
For more information on Lincoln City's Urban Renewal, please visit <http://www.lincolncity.org/propertydevelopment>.





SITE DESCRIPTIONS

This Request For Expressions of Interest(RFEI) includes eight sites – four of them owned by the City of Lincoln City, and four of them owned by the Urban Renewal Agency. The following provides a brief description of each of the eight sites – physical characteristics, key zoning parameters, site constraints, and preliminary observations about how the City or the URA may want to see the site developed. A more detailed summary of applicable zoning regulations for each site is provided at <http://www.lincolncity.org/propertydevelopment..>



Fernwood



- Property: Fernwood Phase I Subdivision - “Villages at Cascade Head” Master Plan Community

- Owner: City of Lincoln City

- Location: This is one portion of a City-owned 363 Acre property purchased in 2013, that makes up most of the undeveloped Villages at Cascade Head Master Planned Community (450 Acres). The site is located in the northernmost part of Lincoln City, east of the Roads End Neighborhood, and within 1 mile from the Roads End State Park & Beach Access.

- Description: This 5.6 acre parcel (6.5 acres including the private road that circulates through the site) has an approved final plat and development plan including 62 units. The site is vacant, but has been cleared in anticipation of development. Fernwood Loop serves the lots and has been roughed in. Water and sewer lines are in place and stubbed out to each existing lot. Conduits for electricity, telephone, and cable are in place, but no wire has been pulled. The site is accessed by NE Devils Lake Boulevard. This Planned Unit Development (PUD) is in the process of an amendment, which tentatively includes removing the 19 units in the center of the site for a park, onto which the homes would face.



- Zoning: R 1-7.5, a single family zone that allows single-family homes as well as attached single family homes and multi-family homes through the Planned Unit Development process.

- Constraints: Subject to Covenants, Conditions & Restrictions (may be amended).

- Development Concepts: Fernwood currently is subject to the Preliminary Master Plan for the Villages at Cascade Head planned unit development, the Refined Preliminary Master Plan for Rock Creek Village, and the Final Master Plan for Fernwood, also known as “Block A.” The last of these is by far the most important, since it sets specific conditions for development of Fernwood. The City is in the process of preparing a Preliminary Master Plan for the Villages at Cascade Head PUD and wants to emphasize that it is open to amendments to the existing plans to accommodate creative land planning and development for Fernwood, and in fact expects (but does not require) that developers will want to amend the plan in order to achieve their goals and visions.

The City is offering the roughed-in Fernwood Loop road in as-is condition and expects that it will be up to the developer to complete the road, although this may be negotiable for an especially creative project. There are no known defects in the road.

The City purchased the Villages at Cascade Head property in part with money from its Affordable Housing Fund. The Affordable Housing Fund’s share comprised about 20 percent of the purchase price. Accordingly development of the Villages at Cascade Head, including Fernwood, must include some affordable housing (workforce housing). The City is receptive to creativity in addressing this requirement, and would consider, among other things, construction of workforce housing as a part of the purchase price, or dedication of some of the property to a non-profit, such as the Lincoln Community Land Trust, for development of housing by that organization. The city will give full consideration to any other approach a developer suggests as a part of its proposal.



NE 25th Street



- Property: NE 25th Street, OceanLake District
- Owner: City of Lincoln City
- Location: 3.96 Acre parcel to the east of Highway 101, between NE 25th and 26th Streets.
- Description: The parcel is a vacant, thickly wooded site, much of it sloped. The site is currently best accessed by the driveway located on a portion of NE 25th Street with the access adjoining the property to the south – St. James Santiago Episcopal Church and School. The site is very close to Kirtsis Ballpark, and the Lincoln City Community Recreation Center and Pool. The nearest beach access (NW 26th Street) is within a 1/2 mile from the property.
- Zoning: R-M, Multi-Family Residential. Allows up to approximately 90 units, either multi-family or attached single-family. Maximum height is 35 feet; maximum lot coverage is 45%. Minimum parking – two spaces per unit (regardless of unit size), except in the case of Senior Housing, for which the parking requirement is only 1 space per bedroom.



- **Constraints:** Significant removal of trees would trigger City review. As noted, there is significant sloping on parts of the site – the optimal redevelopment of the site will probably concentrate development on the flatter portions of the site. Access is provided via the NE 25th Street right-of-way and an access easement on the property immediately to the north of 25th Street. Still, access may not be adequate and may necessitate negotiations with the neighboring church or the commercial property immediately north of 25th Street on the east side of Highway 101. Another access option is to extend NE Quay Avenue from the south (which currently dead-ends on the southern border of the site). Yet another possible access may be NE Quay Avenue from the north, if the property to the immediate north is developed (since this development would trigger the dedication and improvement of NE Quay Avenue north of the City’s site).
- **Development Concepts:** The City’s strong preference is for this site to be developed with workforce housing – serving incomes as low as 60% of Median Family Income (MFI). While the City’s desire is to create as many affordable units as possible (i.e. not a token percentage) – the City is open to scenarios whereby market rate units help to “cross-subsidize” affordable units; especially if such a scenario reduces the need for public subsidy.



NE Reef Avenue



- Property: 2310 NE Reef Avenue, OceanLake District
- Owner: City of Lincoln City
- Location: The site is located on the east side of Highway 101, north of NE 21st Street, and straddles NE Devils Point Drive.
- Description: The 1.85 Acre site is wooded and sloping, though the southern acre of the site (south of NE Devils Point Drive) has a relatively level area of land in the southeast quadrant of the overall property. From there, the nearest beach access (NW 21st Street) is within 3/4 of a mile. The western portion of the site includes the World's Gnarliest Skate Park (Thrasher Magazine, 1999). The site is immediately north of the Seventh Day Adventist (SDA) Church. Kirtsis Ballpark, the Lincoln City Community Recreation Center and Pool, Oceanlake Elementary and the SDA School are within a 1/2 mile.



- Zoning: R-1-7.5. This is a lower density zone that allows up to 19 units on the entire site. This zone allows single family, as well as duplexes, cottages, and attached (row houses). The development may be concentrated on the more buildable southern acre through a Planned Unit Development. Maximum height is 35 feet, and maximum lot coverage is 35%. Minimum parking is two spaces per unit regardless of unit size except in the case of Senior Housing, for which the parking requirement is only one space per bedroom.
- Constraints: Significant sloping on much of the lot, and thickly wooded.
- Development Concepts: As with the prior site, the City’s strong preference is for this site to be developed with workforce housing – serving incomes as low as 60% of Median Family Income (MFI). Not all of the units need to be affordable – for instance, the City is open to scenarios whereby market rate units help to “cross-subsidize” affordable units; especially if such a scenario reduces the need for public subsidy. One redevelopment scenario might entail partnering with a major local employer to create some type of “Employer Assisted Housing”.



NW 15th Street



- Property: NW 15th Street, OceanLake District
- Owner: Urban Renewal Agency
- Location: The site is located on the west side of Highway 101, mid-block between NW Jetty and Harbor Avenues.
- Description: This 0.22 acre, square site is in the middle of a predominantly residential neighborhood. Beach access for pedestrians and vehicles is about 200 feet away. Water and sewer are available.



- Zoning: The site is zoned OP/I-M (OceanLake Plan District/Interior Mixed Use). The OPD is intended “to provide for the integration of residential, commercial, and recreational uses in a well-planned, pedestrian-oriented, mixed use environment”. This zone allows residential uses – attached single family or multi-family; along with bed & breakfast inns, and commercial (office, retail, services). Hotels are allowed as a conditional use. Projects which are determined to achieve design excellence are allowed relaxation of a variety of zoning standards, such as parking. Maximum height is 35 feet.



- Constraints: Tsunami zone. A Level One Environmental Assessment of the site was conducted in late 2017; it did not identify any substantive concerns related to potential contamination issues.

- Development Concepts: The URA welcomes a variety of development concepts for this site. The URA commissioned a 2012 concept design study funded in part by State Transportation Growth Management (TGM) funds. The plans call for a two story commercial structure, with design features intended to fit the traditional “beach” character of the area. The scheme may be viewed at <http://www.lincolncity.org/propertydevelopment>. This concept is not a binding requirement, but represents a concept that the URA, staff, as well as community participants found appealing.



NE 1st Street



- Property: NE 1st Street, DeLake District
- Owner: Urban Renewal Agency
- Location: South side of NE 1st Street immediately east of Highway 101, on the north side of the D River, known as the World's Shortest River, connecting Devils Lake with the ocean.
- Description: This 1.36 acre site boasts an exceptional setting along the D River, very close to the beach (which can be easily accessed via an unimproved pathway that travels beneath the Highway 101 D River Bridge). To the immediate east is Devils Lake State Park, offering hiking trails, lake front access, and a portion of the Head to Bay Trail which connects the area to other parts of the City.
- Zoning: RC, Recreation Commercial – allows hotel/lodging, restaurants, retail, and mixed use (residential over commercial). Stand-alone multi-family and outdoor commercial establishments are allowed through the conditional use process. Maximum height is 45 feet.
- Constraints: This site has several constraints that will limit development options. Much of the site falls within the flood zone, meaning that habitable space will have to be elevated at least several feet above the current ground level. There are some wetlands. There is an ODOT easement on the western edge of the property, to ensure lateral support to the highway. Development along/over the river will be subject to review by State agencies. Maps of these constraints may be accessed at <http://www.lincolncity.org/propertydevelopment>. Also the Devils Lake Water Improvement District (DLWID) owns an easement providing access to the water impoundment structure located in D River, which is used seasonally. A Level One Environmental Assessment of the site was conducted in late 2017; it did not identify any substantive concerns related to potential contamination issues, however a couple of data gaps are being resolved.



- **Development Concepts:** The exceptional setting and flexible zoning of this site lend themselves to an interesting array of possible uses and design features. The waterfront location lends itself to recreational or outdoor activities (a brewpub with a floating dock?). Public access to and through the site could be incorporated into new private development. Another opportunity relates to the Confederated Tribes of the Siletz Indians; there is an opportunity to consult with the Tribes to see if there are any ways that this site can celebrate the full history of the area. For example, an interpretive kiosk, and/or design features that honor the Native Americans who have called this area “home” for centuries, or some other measure could be incorporated as feasible.



SW 4th Street



- Property: 914 SW 4th Street, DeLake District
- Owner: City of Lincoln City
- Location: The site is located at 914 SW 4th Street, a few blocks south of the D River, on the west side of Highway 101.
- Description: This vintage, mid-century single-story structure is the former Taft-Nelscott-DeLake Fire District No. 2 Building. The structure occupies about half of the two contiguous tax lots which total 0.08 of an acre at the corner of SW 4th & Ebb Avenue, just off of Highway 101. Although the site is City-owned, it actually falls within the boundaries of the URA, making it potentially available for urban renewal funding assistance (described in Section 2). Urban services are available.
- Zoning: The site is zoned GC, General Commercial. This zone allows a broad mix of uses including retail, eating & drinking, office, art galleries, and mixed use development. Maximum height is 45 feet.
- Constraints: There are no known significant constraints on the redevelopment of this property. The building will probably need a new roof, possibly new siding, and other updates – and the City will entertain a partnership that entails some form of tenant improvements and/or discounted rent to help make a project financially feasible.



- **Development Concepts:** The City has no definitive plans for this property, but has contemplated some sort of adaptive re-use of the building which would help generate pedestrian activity in the area. A coffee shop, a brewpub, or other food service, perhaps in tandem with an activity such as a bike shop or other tourism-oriented use. Another idea that City officials have discussed is some kind of business incubator for small-scale entrepreneurs or start-up businesses, perhaps through a partnership with a non-profit or educational institution. (A similar model was used for the Lincoln City Glass Center in Taft).

The building may be eligible for listing on the National Register of Historic Places, in which case the project may be eligible for the State's Special Assessment program as well as federal investment tax credits. Some historic information is provided on the project website: <http://www.lincolncity.org/propertydevelopment>. While the site has only two parking spaces, if the building is not enlarged, no additional parking spaces are required.



SE 32nd Street



- Property: SE 32nd Street, Nelscott District
- Owner: Urban Renewal Agency
- Location: The site is located at the southeast corner of SE 32nd Street and Highway 101.



- Description: This is a parcel that was formed out of the recent re-alignment of the intersection of 32nd and Highway 101 as part of a \$12M ODOT highway improvement project. The new lighted intersection provides quick and convenient access to the beach just a few blocks to the west. The site contains .85 acres, with a wooded slope on the south and east edge of the sites, and a fairly flat buildable site immediately adjoining the intersection. Full urban services are available to the site.

- Zoning: The site is zoned Nelscott Business District (NBD) within the Nelscott Plan District. The Nelscott Plan District is intended to provide for the integration of residential, commercial, and recreational uses in a well-planned, pedestrian-oriented, mixed use environment. The NBD zone allows a broad range of uses – residential, hotel, retail, restaurants, and offices. Projects which are determined to achieve design excellence are allowed relaxation of a variety of zoning standards, such as parking. Maximum height is 45 feet.



- Constraints: ODOT imposed limits on access – i.e. nothing allowable in this area on 101, and a setback along SE 32nd Street to the eastern end of the site from Highway 101 should be as far back from the intersection as possible. The site falls within the Tsunami zone. A Level One Environmental Assessment of the site was conducted in late 2017; it did not identify any substantive concerns related to potential contamination issues.

- Development Concepts: The URA welcomes a variety of development concepts for this site, such as retail, restaurant, and/or mixed use (housing over ground floor commercial). In 2007, the URA commissioned a concept design for the site. The result was the “Nelscott Village Center” project, a multi-story mixed use structure oriented to 32nd street. The scheme may be viewed at <http://www.lincolncity.org/propertydevelopment>. This concept is not a binding requirement, but represents a concept that the URA, staff, as well as community participants found appealing.



SW 51st Street



- Property: 815 SW 50th Street, Taft District

- Owner: Urban Renewal Agency

- Location: The site is located at the west end of SW 51st Street, west of Highway 101 in between SW 50th and 51st Streets. The 6-parcel property includes the address of 815 SW 50th Street.

- Description: This 1.70 acre site is a choice redevelopment site, in the heart of Lincoln City's oldest and arguably most walkable commercial district. The property immediately adjoins a popular community picnic shelter and fireplace that represents the historic community crab pot. In past generations the fire burned throughout the day, allowing crabbers to prepare and consume their day's catch – on the spot! None of the eight sites in this offering are very far from the ocean, but this site boasts a spectacular location facing Siletz Bay to the south, with the ocean itself just behind the small hill immediately west of the property. The site is largely flat and vacant. The site has full urban services including water and sewer, and features attractive pedestrian improvements on 51st, the feature street of the Taft District (funded by Urban Renewal in 2001, following the Community Vision Charrette and Plan completed in 1999).

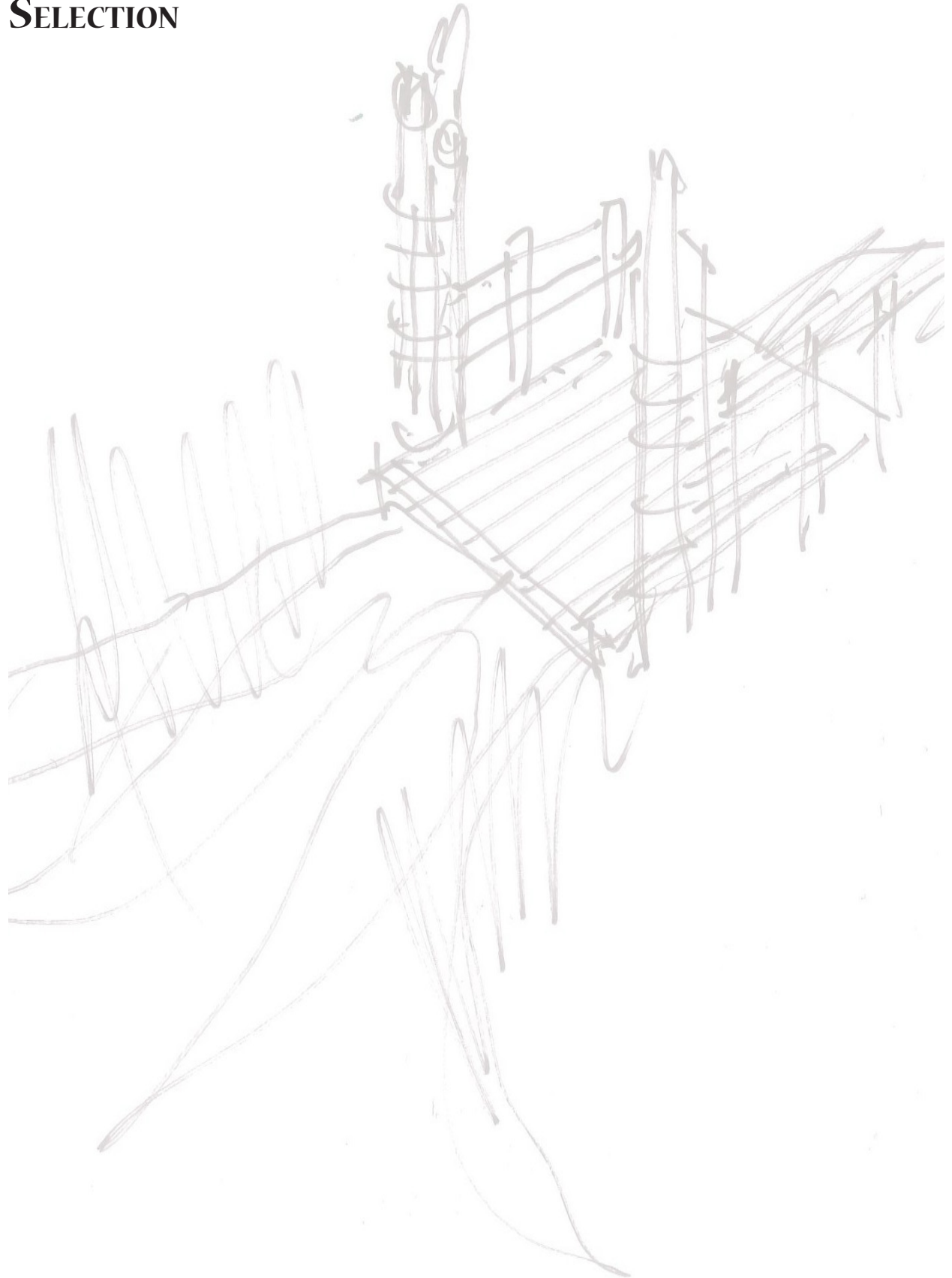


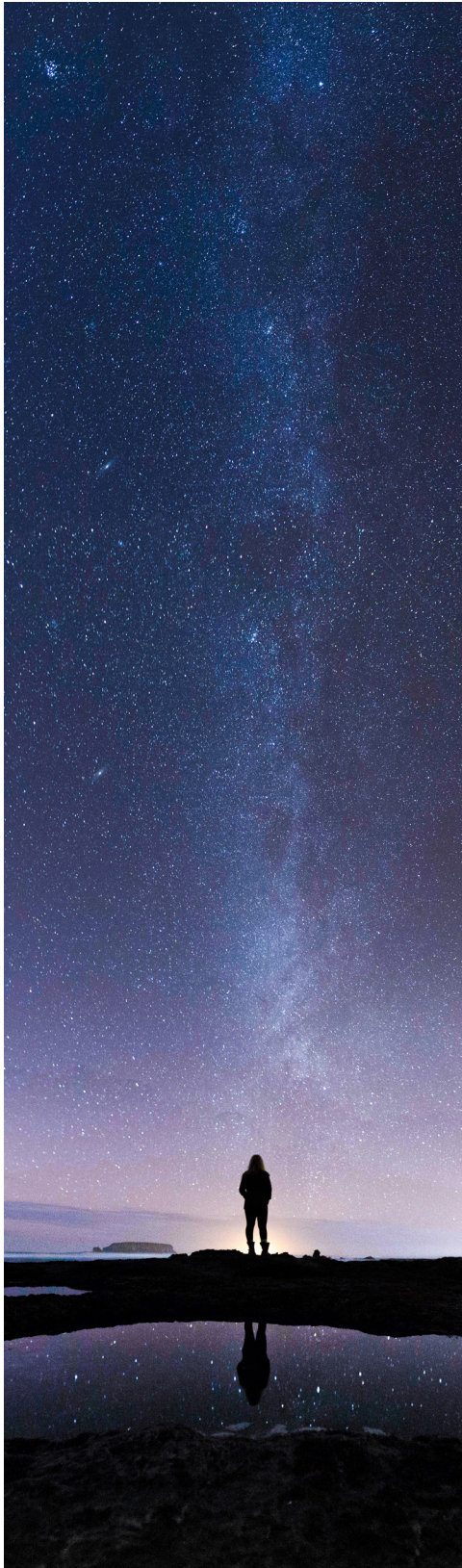
- **Zoning:** The site is zoned TVC – Taft Village Core. This zone allows an array of uses – office, retail, restaurants, and hotels (with an area cap of 212 rooms – there are 64 rooms left within this cap, but the cap may be expanded by Council action). Hotels must have at least 50% of their ground floor devoted to restaurants, bars, or other food/beverage businesses. Multi-family development is allowed as a conditional use. For all uses, the maximum allowed height is 38 feet, but the promontory immediately west of the site creates the possibility of averaging the height to allow four story buildings.
- **Constraints:** A small corner of the site (its southeast corner) falls within the flood zone, and the entire site falls within the tsunami zone. There is also an easement (10 feet setback from the sidewalk and 6 feet setback from the residential property to the east) providing view access for the home immediately west of the property, on 51st. A Level One Environmental Assessment of the site was conducted in late 2017; it did not identify any substantive concerns related to potential contamination issues. Finally, the URA has recently learned of some special conditions affecting this property which will require further analysis; analysis which will not take place until March/April of 2018 (i.e., after submission of responses to this RFEI). The special conditions in question may affect how much of the site is actually available for development, and/or may impose special considerations in the design and construction of any new development. The URA will closely coordinate its analysis of these site constraints with the selected developer.
- **Development Concepts:** This site is particularly well suited to a mix of uses, such as a hotel over an active ground floor retail/restaurant use (such as a brewpub). One intriguing option is to incorporate the community picnic shelter into the development – the City is open to the idea of reconstructing this feature into the project for mutual benefit. The redevelopment of this site might incorporate public access through the site connecting the neighborhood to the north of the property with the beach. Another idea that the URA welcomes is an active rooftop use, such as a restaurant/bar with viewing deck, to take advantage of the sweeping, and wind protected views to the south. Another opportunity relates to the Confederated Tribes of the Siletz Indians; there is an opportunity to consult with the Tribes to see if there are any ways that this site can celebrate the full history of the area. For example, an interpretive kiosk, and/or design features that honor the Native Americans who have called this area “home” for centuries.





SELECTION





Selection Criteria

The following are the criteria which the City/URA will use to determine which developer team to select for each site.

The City/URA seeks responses to this RFEI which:

- Set forth a compelling vision that will ultimately spur further redevelopment in Lincoln City with an active, pedestrian-friendly mix of uses, spaces, and structures.
- Demonstrate quality and consider the coastal context, which may include: sustainable design, building elements and urban design elements such as pedestrian connections through and within sites; public plazas and open spaces; landscape elements; treatment and arrangement of parking.
- Demonstrate capability of the project to contribute to Lincoln City's fiscal stability. Responsible use of City/URA funding or other form of financial participation (as applicable). The City is particularly interested in responses for the Fernwood Phase I property which represent a strong "return on investment" to the City.
- Demonstrate developer's experience in financing and delivering projects similar in scope and quality to what the developer is proposing in response to this RFEI.
- Embrace and enhance Lincoln City's distinct culture – a place that cherishes its history, its beautiful natural setting, its family-friendliness, and the arts.
- Reinforce a sense of place, incorporating "third place" elements suitable to the specific site. For commercial or mixed use projects, this might entail family friendly evening uses such as a bakery, brew-pub, or wine bar, as well as plazas that could accommodate an outdoor market or other events. For exclusively residential uses, this might be an outdoor gathering area, recreation facilities or community gardens.
- Demonstrate economic feasibility, with minimal public support relative to the scale of the project and to the public/community benefits of the project.

- Serve as distinctive gateways or landmarks within their respective contexts.
- Maximize the number of workforce housing options relative to the proposed level of subsidy, with regard to the workforce housing sites.
- Creatively respond to the unique challenges and opportunities that each site represents.

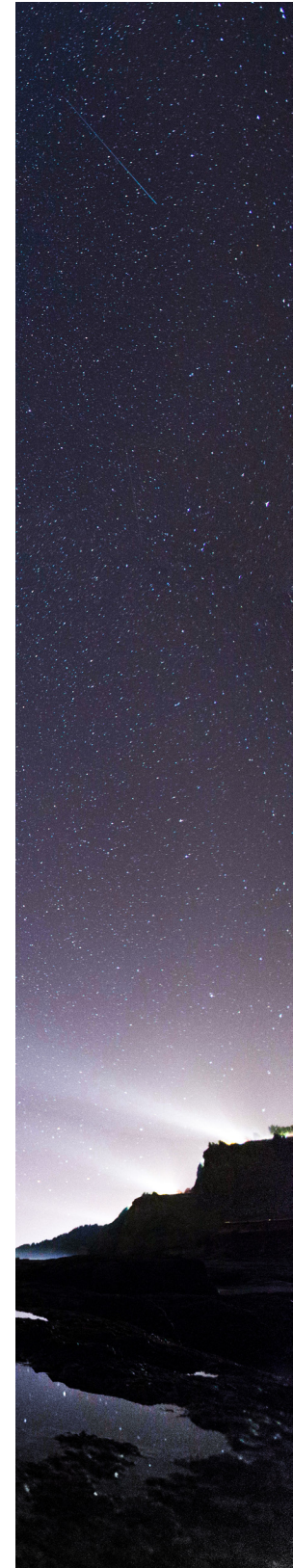
Selection Process

Upon receiving responses to this RFEI, The City or the URA (as appropriate), in their sole discretion, may elect to proceed in any of the following or possibly other directions:

- The City and/or the URA may appoint a Selection Advisory Committee (SAC) to review team qualifications and provide input to the City/URA, including a recommended “short list” of developer teams for the City/URA to interview.
- The SAC or City/URA or its consultant may solicit additional information or clarifications from respondents.
- The City and/or URA may score the responses for some or all of the sites.
- The City and/or URA may select a “short list” of teams for some or all of the sites, for a second round process. This second round might entail interviews, a formal Request for Proposals (RFP) process, and/or some other means of selection.
- The City and/or URA may opt to select a single team for any and all sites, without going to a second round process, and negotiate the terms of a transaction with that team.
- The City and/or URA may opt to reject any or all responses regarding any or all of the properties.
- The City and/or URA reserves the right to recommend that two or more teams consider forming a partnership, if in the City’s/URA’s judgment such a partnership would be conducive to achieving their goals for this project.

Note that neither the City, nor the URA is bound to follow the same selection process for all of their respective properties. For instance, either the City and/or the URA may elect to select a specific developer for some of the sites without interviews, and instead go through a short list interview process for other sites.

Note that all responses to this RFEI are public records and may be reviewed by any member of the public (see further information about confidentiality starting on page 5-6, General Conditions).





Post-Selection Process

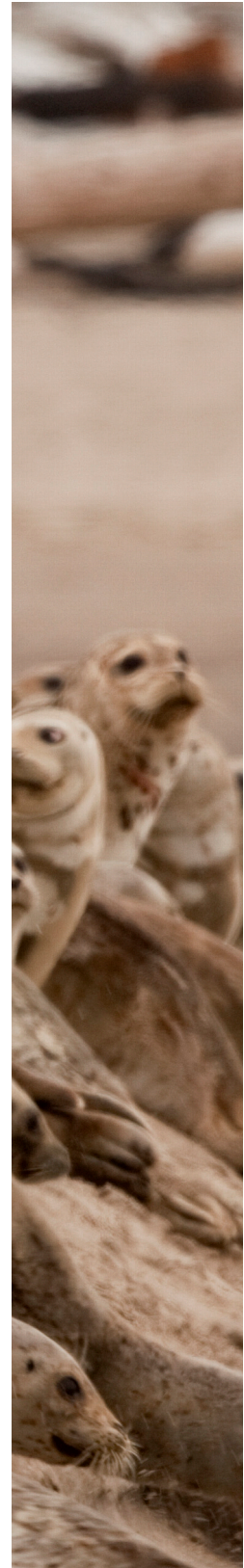
Upon selection of teams for the sites, the City and the URA intend to enter into Exclusive Negotiating Agreements with the teams, providing for a defined time period during which the parties will attempt to negotiate the deal terms for the transaction. During this period, the City/URA will work with selected developer teams to refine their approaches, including development program, phasing as applicable, site planning, and building design. This phase will likely entail some form of community participation. The City/URA anticipate that during this period the program, deal structure, financing, composition of the team, or other components may be modified from what was submitted in response to the RFEI, should a more solid proposal be developed.

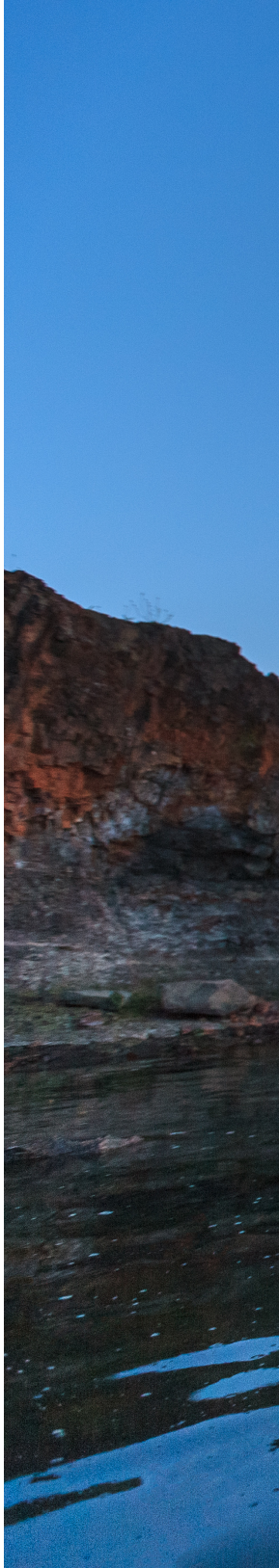
During this pre-development phase, the City/URA may negotiate with some or all of the selected teams a Memorandum of Understanding (MOU) or other agreement as appropriate, setting forth in non-binding terms the financial, programmatic, and other general aspects of the project. Any such MOU will also serve as the basis for the negotiation and execution of a subsequent binding agreement (which may take any of several forms, including a Disposition & Development Agreement, a Lease Agreement, a Purchase & Sale Agreement, or another form; this will be determined as a result of the negotiations). The final, binding document(s) will govern the final disposition of the properties, setting forth the terms of the transaction.

Any such MOU will include provisions reserving to the City/URA the right to terminate negotiations with the selected developer team, if the City/URA in its sole discretion determines that negotiations during the pre-development phase are not progressing in a satisfactory manner. Should this occur, the City/URA would then either work with another team, or may decide not to pursue the project further.

Schedule

February 1, 2018	Issuance of RFEI
February 15, 2018, 2:00 PM	Optional Pre-Submittal Meeting & Tour
February 21, 2018, 5:00 PM	Deadline for Requests for Clarification or Additional Information
February 26, 2018, 5:00 PM	City/URA issues clarifications/additional information to the RFEI, if any (these will be made available on the website: www.lincolncity.org/propertydevelopment)
March 15, 2018, 2:00 PM	Deadline for Responses. Responses must be received in URA office by this time.
March 26, 2018 (tentative)	Preliminary Evaluation of Submissions; Decision regarding next steps (short list interviews, etc.)
April 16, 2018 (tentative)	Preliminary selection of developer team(s), pending further negotiations





Submission Requirements

The City and URA encourage brevity where possible.

ORIGINAL MATERIAL: 12 Pages (8 ½” by 11” size) or less

**FOR RESPONSES THAT INCLUDE MORE THAN ONE SITE:
3 Additional Pages are allowed (i.e. Up to 15 Pages for two sites;
18 Pages for three sites, etc.)**

NOTE These page limits do not apply to background materials (i.e. resumes, letters of reference, project examples, etc.)

1. Cover Letter

Describe the development team and interest in the project (or projects, in the event that the team is interested in more than one of the eight properties). Identify the primary point of contact for the team. Include a statement indicating that the response is valid for six months after submittal.

2. Expression of Interest

Describe your vision for the site(s):

- How is it consistent with City’s/URA’s aspirations for the site and the surrounding area, particularly in light of the stated Selection Criteria (page 5-1) as well as the description of the site’s opportunities described in Section 4?
- What are your preliminary thoughts about program, phasing, design, and deal terms?
- Do you intend to develop the entire property(s) in which you have interest, or only a portion? If only a portion of the site, what do you hope to see on the balance of the site. Discuss how you anticipate coordinating your efforts with other development partners.
- Does your response anticipate (or require) the acquisition of any other properties adjoining the property(s) in which you are interested? If so, please describe your acquisition strategy. Note that any confidential aspects of this strategy may be attached separately and indicated as “confidential”.
- What are your thoughts about project financing – and in particular what are your preliminary expectations regarding the City, the URA and/or other public partners?
- Do you have a specific tenant, or type of tenant, in mind?

- Are you aware at this time of any City zoning or other codes that may impede your development concept for the site?

3. Team and Development Experience

a. Identify development team members and roles, and describe qualifications. Provide resumes for key team members.

b. Describe the team’s experience in the development of high quality, successful projects, preferably projects similar in scope and scale to what you are proposing for the site(s) in Lincoln City. What is the team’s recent experience with this type of development? It is optional to send photos of recent similar complete projects.

c. Describe the team’s previous experience working with public sector partners in public-private partnerships.

4. Financial Capacity

a. Explain your financial capacity, and share any preliminary thoughts you have about financing approaches for your project ideas. Please discuss, for instance, your likely or possible equity and debt sources. Provide as much information as you wish, such as certified financial statements, credit availability letters, or bank references, to make the case that you have the financing capacity to carry out your proposed project (any financial documents submitted in response to this RFEI should be placed in a separate envelope and clearly marked as “confidential” – the City/URA will maintain the confidentiality of any such information to the extent allowed by law, but please do not submit information you do not wish to be made public; see also the statement about “Proprietary Information” in the General Conditions section, below).

b. Describe any expectations for public financial participation at this stage. The response should include general statements relating to financial participation, assistance with permits, and other potential public funding sources.

5. Timing.

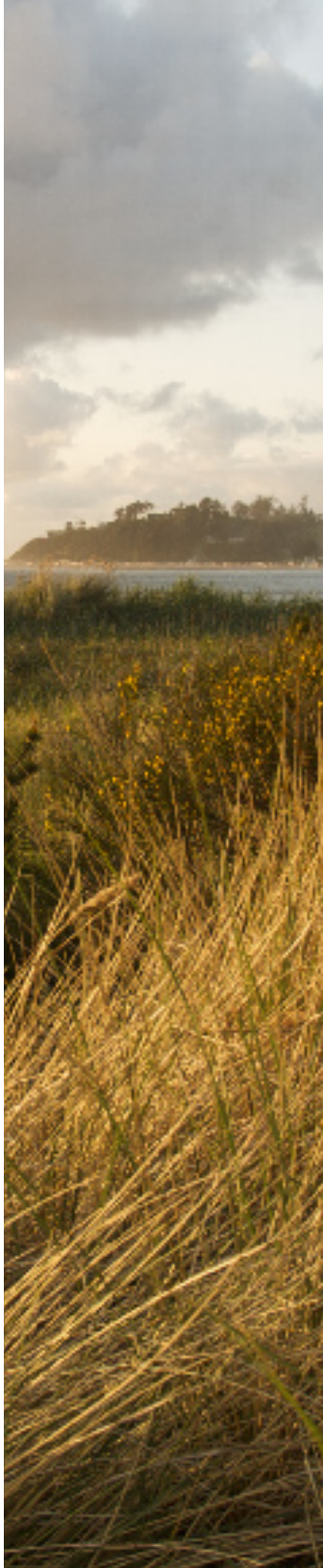
Provide a preliminary estimated time frame to carry out the project(s). If you envision a phased approach, please describe.

6. List of References & Project Examples.

Teams may submit letters of reference above the specified page limit. Teams are also encouraged to include samples of other projects (preferably relevant to what they are proposing for the Lincoln City property/s), beyond the specified page limit.

The City/URA does not expect architectural drawings as part of team submittals, but will not refuse such drawings. If drawings are submitted, they should be incorporated into the 8 ½” by 11” format described above. No more than 4 drawings per site (site plans, floor plans, elevations) will be accepted as part of the submittal, above the specified page limit.





General Conditions

- All facts and opinions stated within this RFEI and all supporting documents and data are based on information available from a variety of sources. No representation or warranty is made with respect thereto.
- The City and the URA reserve the right in their sole discretion to accept or reject all responses to this RFEI, without cause.
- The City and the URA reserve the right in their sole discretion to modify the selection process or other aspects of this RFEI, including canceling the RFEI without selecting a developer or team.
- The City/URA will take reasonable steps to ensure that any modification or clarification or new information related to the RFEI shall be posted on the project website at <http://www.lincolncity.org/propertydevelopment> by February 23, 2018.
- The City/URA reserves the right to request additional information following review of initial submissions. In addition, they may retain consultants to assist in the evaluation of submissions.
- In the interest of a fair and equitable selection process, the City and the URA reserve the right to determine the timing, arrangement, and method of any presentation throughout the selection process. Teams are cautioned not to undertake any activities or actions to promote or advertise their expressions of interest except during City/URA-authorized presentations. Developers and their representatives are not permitted to make any direct or indirect (through others) contact with members of Lincoln City's City Council, the URA Board, Planning Commission, or Selection Advisory Committee concerning their responses, except in the course of City/URA-sponsored presentations. Violation of these rules is grounds for disqualification of the team.
- The City and the URA request that developers and members of their team who are considering responding to this RFEI NOT contact any prospective public agency funding partners.
- Conflicts of Interest. Please disclose any conflicts of interest or potential conflicts of interest that may arise as a result of your company's being hired for this Project. Identify and describe fully any family or business relationships which any employees of your company may have or have had with any employee or elected official of the City or URA or any affiliated entities. The Proposer and sub-consultants shall identify any group, individual or organization that they may have worked for, or currently work for, that has had ownership, lease, development, related

or similar interest in the City or URA. Failure to disclose any existing or potential conflicts may disqualify the Response from consideration.

- **Nondiscrimination.** The City/URA notifies all possible Proposers that no person shall be excluded from participation in, denied any benefits of, or otherwise discriminated against in connection with the award and performance of any contract on the basis of race, religious creed, color, national origin, ancestry, physical disability, sex, age, ethnicity, or on any other basis prohibited by law.
- **Proprietary Information.** Only information which is in the nature of legitimate trade secrets or non-published financial data may be deemed proprietary or confidential. Any material within a Response identified as such must be clearly marked in the Response and will be handled in accordance with the Oregon Public Record Act, and applicable rules and regulations. Any Response marked as confidential or proprietary in its entirety may be rejected without further consideration or recourse.
- All submissions shall become the sole and exclusive property of the City and/or URA. Teams shall not copyright, or cause to be copyrighted, any portion of their submission. Within the bounds of public records laws, the City/URA will maintain the confidentiality of submissions at least until the preliminary selection of developer teams, and possibly as late as the time at which the City/URA enters into a Disposition & Development Agreement with the Developer in question. Any proprietary financial information or other information which developer teams submit will be maintained as confidential as allowed by public records law. Submissions or information that the respondent team would like to remain confidential must be marked confidential.
- Neither the City nor the URA make any representations as to whether or not a project to be developed as a result of this RFEI, or any possible City or URA participation therein, is a “public improvement” project and as such is subject to the prevailing wage requirements of the Oregon Bureau of Labor and Industry.
- News releases by the selected team pertaining to its selection will require prior written approval from City/URA staff.
- The City and the URA reserve the right to verify and investigate the qualifications and financial capacity of any and all members of the proposing teams.
- The City and the URA accept no responsibility or obligation to pay any costs incurred by any party in the preparation or submission of a response or in complying with any subsequent request for information or for participation throughout the evaluation process.

