

STATE OF CONNECTICUT
CONNECTICUT DEPARTMENT OF
TRANSPORTATION



REQUEST FOR QUALIFICATIONS AND CONCEPTUAL
PROPOSALS FOR THE TRANSIT-ORIENTED DEVELOPMENT
OF THE STAMFORD PARKING GARAGE
(STOD22912)

DUE DATE: April 30, 2012 AT 2:00 P.M. EST
DESCRIPTION: Stamford Parking Garage Transit-Oriented Development
SUBMITTAL LOCATION: Connecticut Department of Transportation
Attn: Scott Hill, Manager of Bridges and Facilities
2800 Berlin Turnpike
Newington, CT 06111

The Connecticut Department of Transportation (hereinafter referred to as the "DOT" or the "Department") is seeking Statements of Qualifications and Conceptual Proposals from private entities for the development and implementation of a Transit-Oriented Development ("TOD") approach to replace the Department's existing, original parking garage located at the Stamford Transportation Center ("the Original Garage") in Stamford, CT.

This solicitation is a combined Request for Qualifications and Request for Conceptual Proposal ("RFQ/CP"). Any updated information regarding this procurement process can be found on the Connecticut Department of Administrative Services website at:

http://www.biznet.ct.gov/scp_search/BidResults.aspx?groupid=64

The response to this RFQ/CP must be in the actual possession of the Department prior to the time and date, and at the location indicated above. **Late submissions will not be considered.**

The Statements of Qualifications and Conceptual Proposals ("SOQ/CP") must be submitted in a sealed package with the words "Stamford TOD" clearly marked on the outside, and with the Request Number STOD22912 and the name of the Candidate proposers ("Candidate") and address clearly indicated on the package. All SOQ/CPs must be typewritten, and in accordance with this RFQ/CP.

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Exhibit 2: Acceptable Walking Distance

Appendix 1: Release and Indemnification Form, Mandatory Pre-Proposal Conference and Site Visit

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1.0 Background

The Connecticut Department of Transportation (“the DOT or the Department”) owns the Stamford Transportation Center (“STC”), an intermodal transportation facility offering Metro-North Railroad – New Haven Line and Amtrak intercity rail service, local CT Transit and Greyhound intercity bus service, as well as private taxi and corporate shuttle services. The STC is adjacent to I-95, with an address of 30 Station Place, Stamford, CT.

The STC complex includes a public waiting room/concourse area over the tracks, two interconnected parking structures consisting of approximately 1,900 total spaces, multiple passenger boarding platforms, dedicated taxi queue, corporate shuttle and bus transit depots as well as a number of retail storefronts. The STC site is operated on behalf of the DOT, through a contracted facility management agreement.

The original garage at the Stamford Transportation Center provides some 727 spaces and was constructed in the 1980s (“Original Garage”). A second garage, which was constructed in 2004, provides an additional 1,200 parking spaces and will remain in use (“2004 Garage”). In addition to the replacement of the Original Garage, there is a need to provide transportation improvements to Station Place (a driveway between Atlantic Street and Washington Boulevard) as well as to provide and install a new Parking Access and Revenue Control System (“PARCS”).

The condition of the Original Garage shows signs of accelerated concrete deterioration and requires extensive maintenance. A 2006 report, updated in 2010, identified that the Original Garage with continued maintenance has an estimated service life of 5 to 10 years, albeit with continually increasing maintenance costs. This study found that a new garage would be more cost effective for the Department than maintaining the Original Garage and would have a much longer useful life.

All options for replacing the Original Garage require providing the public continual access to the existing number of parking spaces. Due to the limited opportunities for temporary parking and the intent to maximize the value to the Department of the Original Garage site, the Department wishes to pursue a Transit-Oriented Development (“TOD”) transaction that will provide at least 1,000 commuter parking spaces.

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Additional key issues relating to the Original Garage include the following:

- If the Original Garage is replaced at the same location, then demolition of the Original Garage will require temporary parking for commuters while a new garage is constructed;
 - Public Act 09-186 Section 4 prohibits the DOT from beginning any phase of the demolition of the existing parking garage unless the DOT makes alternative parking spaces available near the Original Garage before the demolition begins.
- Permit sales ending January 2012 were 1,387. Current parking rates are as follows:
 - 1st Hour or part thereof: \$1.00
 - Up to 16 Hours: \$8.00
 - Per 24 Hours (Over 16 Hours): \$10.00
 - Monthly: \$70.00
- There is an existing contract between the Department and Fusco Management Company for the operations and maintenance of the Stamford Station, both parking garages, security, and the taxi queuing systems.

The Department is seeking Statements of Qualifications and Conceptual Proposals (“SOQ/CPs”) for the development and implementation of a TOD on the Original Garage site that includes replacing the DOT’s Original Garage with 1,000 or more spaces within the Acceptable Walking Distance (as defined in Section 2.0), hereinafter referred to as the “Replacement Garage”, providing improvements to Station Place, and other possible improvements as set forth in this RFQ/CP (the Project). As previously stated, all options considered must continue, at all times, to provide the public continual access to the existing number of commuter parking spaces as well as the adjacent 2004 Garage.

This solicitation will be a two-step process starting with this RFQ/CP and as further described in Section 3.1. A mandatory pre-proposal conference and site visit is scheduled for March 14, 2012 from 2:30 – 4:30 p.m. at the Stamford Government Center, Section 3.6 provides further information.

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2.0 Scope and Requirements

The intent of this RFQ/CP is to solicit qualifications and conceptual proposals for the Stamford Parking Garage TOD through a development agreement. **Figure 1** below shows the location for the proposed TOD and **Exhibit 1** provides a map of the potential TOD redevelopment properties. Proposed concepts must achieve the Department's following goals and requirements with respect to this TOD:

Goals:

- Demolish and replace the Original Garage with a minimum of 1,000 commuter parking spaces
- Minimize impacts to commuters
- Maximize revenue for the State
- Promote economic development

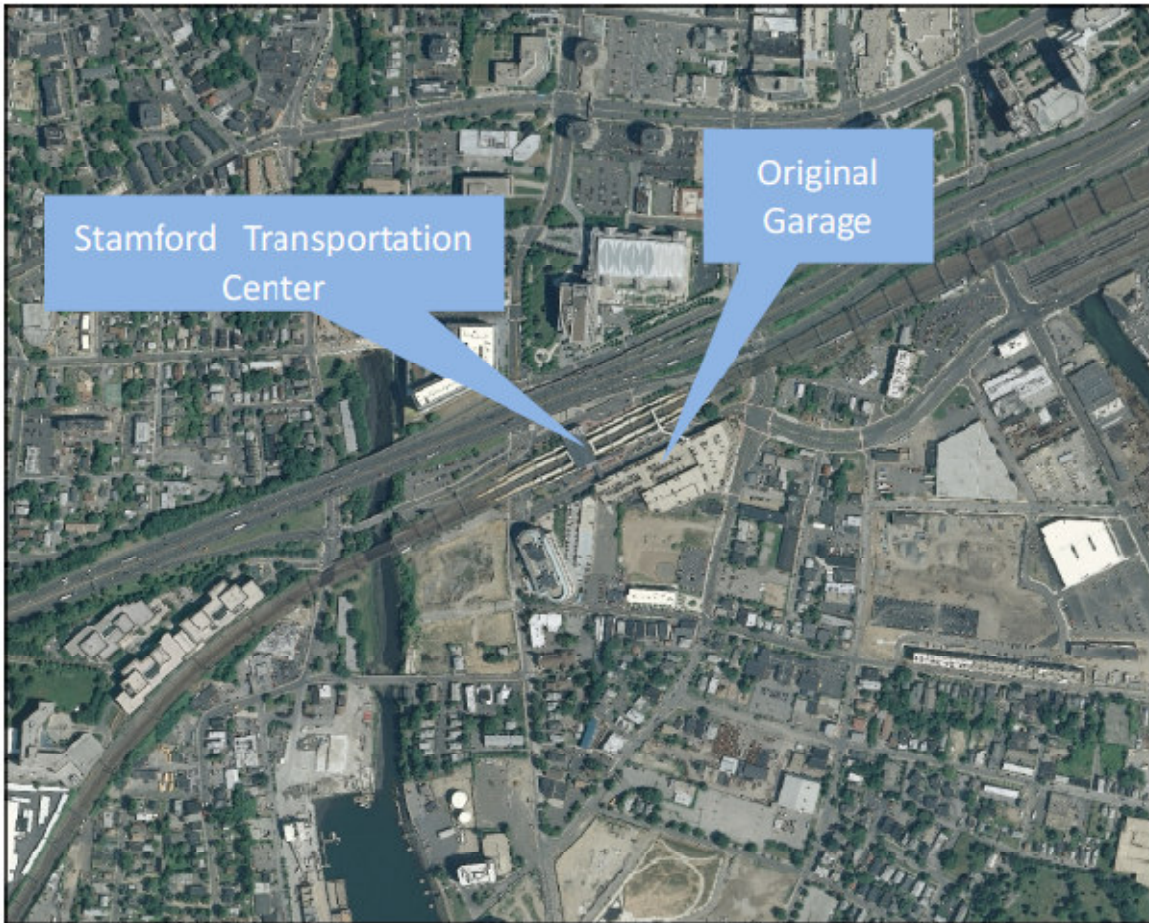
Requirements and objectives:

- Delivery of a minimum of 1,000 Commuter parking spaces within ¼ mile walking distance of the STC using the existing pedestrian overpass as an origin ("Acceptable Walking Distance", see **Exhibit 2**).
- Maintenance of access to the existing number of commuter parking spaces at all times (including during construction) within the Acceptable Walking Distance;
- Demolition of the Original Garage;
- Replacement of the elevated pedestrian walkway to the Stamford Station that is currently connected to the Original Garage;
- Maximize the continuous long-term revenue stream to the State;
- Maximize revenue from State property;
- Minimize the State's financial contribution during design and construction;
- Delivery of Station Place and parking garage improvements that increase access, upgrades conveniences to commuters, and are pedestrian-friendly;
- Provide a new Parking Access and Revenue Control System for the Replacement Garage and 2004 Garage;
- Potentially provide operations and maintenance for the Replacement Garage and 2004 Garage;
- Provide connectivity to commuters between the Replacement Garage and the 2004 Garage; and

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- Inclusion of a TOD component as defined in Section 13b-79kk of the Connecticut Statutes;¹

Figure 1: Project Location



Source: Connecticut Department of Transportation

¹ As defined under Section 13b-79kk, "Transit-oriented development" means the development of residential, commercial and employment centers within one-half mile or walking distance of public transportation facilities, including rail and bus rapid transit and services that meet transit supportive standards for land uses, built environment densities and walkable environments, in order to facilitate and encourage the use of those services.

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2.1 Project Requirements

The Department will consider entering into an agreement that demonstrates the ability of the Candidate to develop a Replacement Garage and associated improvements that meet the stated goals, requirements and objectives in a more timely or cost-effective manner than otherwise might be possible by traditional delivery methods. As part of this transaction, the Department is willing to consider including air rights, long-term access to the Original Garage site, and other properties owned by the Department (See **Exhibit 1**). This section outlines the minimum qualifications for the Project. Candidates are encouraged to be as innovative as possible in their submissions.

Table 1 specifies the minimum requirements with respect to the proposed transaction.

Table 1: Project Requirements

Issue	Project Requirements
Number of Spaces	Deliver a minimum of 1,000 commuter parking spaces.
Station Place Improvements	Use of a sufficient portion of the first level of any development, on the footprint or adjacent to the Original Garage, for taxis and Kiss and Ride.
Design & Construction	Minimize impact to users by completing design and construction of the Project within 3 years, including any utility relocations or upgrades and demolition of the Original Garage. The ultimate design must meet all DOT standards including, but not limited to, the DOT's High Performance Building Standards as well as accommodations for electric cars and charging stations.
The DOT's Financial Contribution	Up to \$35 million in bond proceeds are available for design, construction, and oversight of the Replacement Garage. The Department will give priority to the minimization of the State's contribution.
Ownership	The Department will continue to own the 2004 Garage, track, station, and platforms at Stamford Station. The Department will entertain potential transactions where long-term rights to the Original Garage site are provided in exchange for ownership of a Replacement Garage at another site within the Acceptable Walking Distance. A 10-foot easement must be maintained around the 2004 Garage if the Replacement Garage is not on the Original Garage site.

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Issue	Project Requirements
Air Rights	The DOT would consider transferring air rights as part of the transaction. Any such transfer would require the developer to bear any costs associated with changes to overhead utilities.
Land Swaps	The DOT would consider land swaps as part of the transaction, with the DOT parcels being available AS IS, WHERE IS, without any warranty regarding their condition or suitability for use. If a land swap is proposed, then the DOT would require ownership of the swapped land parcels.
Operations and Maintenance (O&M)	The SOQ/CPs must include strategies for at least the short-term operations and maintenance of all parking at the Stamford Transportation Center. If the strategy includes long-term operations and maintenance functions, then life cycle major maintenance investments must be addressed.
Parking Rates	SOQ/CPs must include concepts for optimizing parking rates while not significantly impacting transit ridership. The DOT will remain responsible for setting parking rates.
Revenues	The Department desires to maximize parking and other revenues to the DOT.
Access	Commuters must have direct street access to the Replacement Garage. If the Candidate's proposed concept for the parking spaces is within a larger structure, then there must be a distinct and separate revenue entrance for commuters accessing the DOT parking spaces.
Temporary Parking	Minimize disruptions to commuters.
Parking Access and Revenue Control System (PARCS)	Replacement, operations, and maintenance of the PARCS for all parking at the STC, including taxis.
Traffic flow	Improved traffic flow on Station Place and the minimization of traffic disruption during the demolition of the Original Garage

2.2 Compliance with Law

The Candidate shall be required to comply with all applicable federal, state and local laws and regulations. Reference in this RFQ/CP to compliance with particular laws shall not be deemed to limit the generality of the foregoing. The Candidate is responsible for determining the scope and applicability of laws and regulations to the Project.

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Section 13b-79kk of the Connecticut General Statutes provides the statutory authority for the Department through the Commissioner to participate in transit-oriented development projects that result in the development or improvement of public transportation facilities. Candidates must agree to comply with this section.

The Candidate must comply with all applicable equal opportunity laws and regulations of the State of Connecticut, including but not limited to Connecticut General Statutes §§ 46a-68e and 46a-68f and with each regulation or relevant order issued by the Commission on Human Rights and Opportunities (“CHRO”) pursuant to Connecticut General Statutes §§ 46a-56, 46a-68e and 46a-68f. All Candidates must agree to provide the CHRO with such information requested by the CHRO and permit access to pertinent books, records and accounts concerning the employment practices and procedures of the Contractor as relate to the provisions of this Section and Connecticut General Statutes § 46a-56.

2.3 Regulations and Approvals

The SOQ/CP shall be in compliance with all applicable, federal, State, and local laws and regulations.

2.3.1 Environmental – CEPA

Compliance with the Connecticut Environmental Policy Act (“CEPA”), sections 22a-1 through 22a- 2h of the Connecticut General Statutes will be required. The Department will prepare the CEPA document, post the document for public review and comment, and seek a Record of Decision from the Office of Policy and Management. Information and cooperation from the Candidates may be needed in this regard. The selected Proposer will be required to mitigate any environmental impacts noted in the Record of Decision that are caused by the Project, and, if CEPA applies to the TOD, the selected Proposer also will be required to mitigate any environmental impacts caused by the TOD.

2.3.2 State Approvals

This Project is subject to the approval of the State Properties Review Board (“SPRB”). As per Section 13b-79kk (c) of the Connecticut General Statutes with respect to transit-oriented development projects, “No lease, sale or purchase of State land or facilities in connection with a project undertaken pursuant to the provisions of this section shall be valid without the approval of the SPRB.” The Department will be responsible for coordinating such approval(s) with the SPRB.

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The Project is also subject to the review and approval by OPM and the Office of the Attorney General (“OAG”), both of the State of Connecticut. The selected Proposer will provide all required documentation and information and will be expected to assist the DOT, as necessary and appropriate, in obtaining SPRB, OPM, and OAG approval.

2.3.3 Candidate Responsibilities Regarding Permits and Approvals

Unless otherwise stated in this RFQ/CP or any subsequent procurement documents or the Development Agreement, the Candidate will be expected to apply for, obtain, maintain, and comply with, at its own cost and expense, any and all environmental permits and governmental approvals, including, but not limited to, State Traffic Commission approvals and any municipal and local zoning permits and approvals (as deemed necessary), in order for the selected Candidate to complete the Project and TOD. Where the property associated with the needed permit is owned by DOT, DOT shall be named as the owner in any such permit.

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3.0 Procurement Process and Project Schedule

3.1 Procurement Overview

The Department will utilize a two-phase process for the selection of a developer for the Project. Phase One consists of this RFQ/CP, the submission of SOQ/CPs, and, at the discretion of DOT, one-on-one meetings with Candidates for the purpose of clarifying their submissions, seeking supporting information, determining in greater detail the Candidate's qualifications, and exploring the scope and nature of the proposal. **Only the Candidates that submit a responsive SOQ/CP that satisfies the evaluation criteria will be shortlisted in accordance with Section 6 herein. Only shortlisted Candidates will be eligible to participate in the second phase of this procurement.**

The second phase ("Phase Two") will consist of the issuance of a Request for Proposals ("RFP") to all short-listed Candidates, followed by the submission of comprehensive responses to the RFP, and (as will be more fully described in the RFP) negotiations, and a final selection of the TOD developer. Once proposals are received, DOT may invite, none, one or more Candidates who submit a response to the RFP ("Proposers") to participate in negotiations. Preliminary negotiations may be held with one or more Proposers until the designation of a Proposer with whom the Department wishes to enter into final negotiations ("Preferred Proposer"). Once a Preferred Proposer is named, if, after good faith efforts and within a reasonable time period, both of which shall be determined by the Commissioner of the Department, the negotiation team is unable to negotiate an agreement with the Preferred Proposer, the Commissioner may continue the negotiation process and transfer the Preferred Proposer status to the Proposer next most advantageous to the State, and so on until an agreement is awarded and accepted, or the Commissioner may, in his sole discretion, terminate this procurement process.

3.2 Schedule

Table 2 summarizes the anticipated schedule for the release and evaluation of the RFQ/CP and the RFP as well as the anticipated date for contract award, negotiation, and execution of a Development Agreement with a selected developer. All deadlines and other dates relating to this process are subject to modification by the DOT in its sole discretion.

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Table 2: Target Procurement Schedule

Request for Qualifications/Conceptual Proposal (RFQ/CP) Schedule	
Release RFQ/CP:	2/29/12
Mandatory Pre-Proposal Conference and Site Visit	3/14/12
Final Questions Due From Candidates	4/2/12
Final Responses to Questions	4/9/12
Statement of Qualifications/Conceptual Proposals Due	4/30/12
Potential Interviews (If requested by DOT)	Week of 5/14/12
Final Request for Clarifications from DOT (if any)	By 5/22/12
Final Responses to Request(s) for Clarifications (if any)	By 5/29/12
Notification of Shortlisted Candidates	6/8/12
Request for Proposal (RFP) Schedule	
Release of RFP to Shortlisted Candidates	6/29/12
Comprehensive Proposals Due from Shortlisted Candidates	September 2012
Notification of Preferred Proposer	November 2012
Finalize and Approve Development Agreement	December 2012

3.3 Evaluation Team

A team (“Evaluation Team”) will be appointed by the DOT to evaluate the SOQ/CPs received in response to this RFQ/CP. The Evaluation Team will use the process described in Section 6.

3.4 Reimbursement

The Department will not reimburse any Candidate for the cost of preparing and submitting a response to the RFQ/CP or the RFP.

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3.5 Questions and Clarifications

All questions and responses to Department requests for clarifications shall be submitted only by email to DOTcontracts@ct.gov and identified by Stamford TOD RFQ/CP STOD22912. No telephone or oral requests will be considered. All questions by the Candidates or Candidate responses to Department requests for clarification must include the term "Stamford TOD" in the subject line. All questions by the Candidates or responses to requests for clarifications submitted after the date and time specified will not be answered. The due date for responses to any requests for clarification issued by the Department will be stated in the request and must be submitted by that date.

The Department's responses to questions from Candidates shall be issued in writing and may be in the form of an Addendum to this RFQ/CP. All questions submitted to the Department by possible Candidates will be posted (without reference to the Candidate), along with any Department responses, on the Department website at <http://www.ct.gov/dot/cwp/view.asp?a=2288&q=259258>, or by going to the DOT's website at www.ct.gov/dot, then "DOING BUSINESS WITH CONNDOT", then "Construction Bidding and Contracts" under Contractor Resources, then "Construction Bidding/Contracts Menu" .

Questions and responses to requests for clarification shall: (i) be sequentially numbered; (ii) specifically reference the relevant RFQ/CP section and page number, unless such request is of general application (in which case the request for clarification shall so note); and (iii) not identify the Proposer's identity in the body of a question.

3.6 Mandatory Pre-proposal Conference and Site Visit

The Department will hold a mandatory pre-proposal conference and site visit on March 14, 2012 from 2:30 to 4:30 pm in the City of Stamford at the Stamford Government Center, 888 Washington Boulevard. The conference will begin at 2:30 p.m. and be held in the 4th floor Cafeteria followed by the Site Visit. Parking is available at the Stamford Government Center. All participants attending the Mandatory Pre-proposal Conference and Site Visit must bring a signed copy of the Release and Indemnification Form found in **Appendix 1**.

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4.0 SOQ/CP General Guidelines

The SOQ/CP submission requirements are outlined in this section.

4.1 Submitting Qualifications and Conceptual Proposals

In order to be considered responsive, Candidates must submit, by hand or mail, 10 (ten) hard copy originals and (1) one electronic version in Word 2010, or a version compatible therewith, on a compact disc of their SOQ/CP to the following recipient and address to be received no later than 2:00 PM local time on April 30, 2012.

**Connecticut Department of Transportation
ATTN: Scott Hill, Manager of Bridges and Facilities
2800 Berlin Turnpike
Newington, CT 06111
Re: Stamford Parking Garage**

The SOQ/CP shall be sealed in mailing envelopes or packages bearing the Candidate's name and address. The package must also have the RFQ/CP "STOD22912" identifier and the words "Stamford TOD" clearly marked on the outside. Each copy of the SOQ/CP shall be securely bound and contained in a single volume, identified by a front cover.

4.2 SOQ/CP General Contents

The SOQ/CPs shall be no more than thirty (30) pages excluding financial statements, resumes, and the State of Connecticut Gift and Campaign Contribution Certification.

The SOQ/CP shall follow the following format, separated by numbered tabs corresponding to:

- TAB #1: Letter of Submittal and General Candidate Information
 - Candidate Point of Contact
 - Candidate Team and Contacts
 - Certification of Good Standing

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- TAB #2: Candidate Qualifications
 - Candidate Team Structure
 - Candidate Experience and Capabilities
 - Certification of No Adverse Matter and Ability to Perform Statement
 - Certification of No Fraud, Collusion, or Conflict of Interest Statement

- TAB #3: Conceptual Proposal
 - Conceptual Development Proposal
 - Conceptual Financial Proposal

- TAB #4: Other Required Certifications and Documents

Misplaced, late, faxed or electronic submittals will be considered nonresponsive with no exception. The DOT may, without opening, consideration or evaluation, reject any proposal that fails to meet any delivery requirement.

4.3 Ethics

Candidates should be advised that pursuant to section 1-101nn of the Connecticut General Statutes any person or firm who: (1) is a party to a large State construction or procurement contract, or seeking to enter into such a contract, with a State agency; or (2) is a party to a consultant services contract, or seeking to enter into such a contract, with a State agency shall not:

- With the intent to obtain a competitive advantage over other bidders, solicit any information from an employee or official that the contractor knows is not and will not be available to other bidders for a large State construction or procurement contract that the contractor is seeking;
- Intentionally, willfully, or with reckless disregard for the truth, charge a State agency for work not performed or goods not provided, including submitting meritless change orders in bad faith with the sole intention of increasing the contract price, as well as falsifying invoices or bills or charging unreasonable and unsubstantiated rates for services or goods to a State agency; and
- Intentionally or willfully violate or attempt to circumvent State competitive bidding and ethics laws.

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Any Candidate that violates the above provisions shall be deemed non-responsive by the Department.

In addition, no person with whom a State agency has contracted to provide consulting services to plan specifications for any contract, and no business with which such person is associated, may serve as a consultant to any person seeking to obtain such contract, serve as a contractor for such contract, or serve as a subcontractor or consultant to the person awarded such contract.

4.4 Ex-Parte Communications

During the period beginning with the issuance of this RFQ/CP and until a contract is awarded, Candidates, Proposers or individuals acting on their behalf shall not contact any employee of the State of Connecticut or any consultants or attorneys involved in this process for additional information, except as may be set forth in the RFQ/CP and the subsequent RFP. Any unauthorized conversations or communications prior to contract award are prohibited and may be grounds for disqualification.

4.5 SOQ/CP Confidentiality

As described below the Commissioner of the Department may withhold from disclosure the SOQ/CPs until the completion of the procurement process. However, upon receipt by DOT, the SOQ/CP is considered a public record or file, subject to the Freedom of Information Act ("FOIA"). Accordingly, each Candidate shall identify any and all information that it considers to be confidential as proprietary or trade secret. Those particular sentences, paragraphs, pages or sections that the Candidate believes to be proprietary or trade secret shall be specifically and clearly identified as such. Each Candidate seeking to claim an exemption for a trade secret or proprietary information must provide a convincing explanation and rationale consistent with the law sufficient to justify treating the identified information as proprietary or trade secret under § 1-210(b) of the Connecticut General Statutes, including the representation that such information is not already in the public domain. The rationale and explanation shall be stated in terms of the prospective harm to the competitive position of the Candidate that would result if the identified material were to be released, and set forth the reasons it believes the material is legally exempt from release pursuant to FOIA. The final administrative authority to release or exempt any or all material so identified rests solely with the State; subject to adjudication by the Freedom of Information Commission should the Candidate's claim of proprietary or trade secret information be challenged.

By submitting a SOQ/CP, each Candidate agrees that the State may reveal any trade secret materials contained in such SOQ/CP to all staff and officials involved in the selection process, and to any outside consultants, legal counsel or other third parties

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who serve on the evaluation committee or who are hired to assist in the selection process. Each such individual who receives such information will be required to sign a confidentiality agreement. Furthermore, each Candidate agrees to indemnify and hold harmless the State and each of its officers, employees, consultants, counsel and agents from all costs, damages and expenses incurred in connection with refusing to disclose any material which the Candidate has designated as a trade secret or proprietary. Any Candidate that designates its entire proposal as a trade secret or proprietary may be disqualified by the State, in its sole discretion.

Subject to any particular FOIA request that may be made, pursuant to § 1-210(b) (24) of the Connecticut General Statutes, the Commissioner of the Department may (subject to the balancing test required by § 1-210(b) (24)) withhold from disclosure the SOQ/CPs until the contract contemplated by this RFQ/CP has been executed or when negotiations for the award of such contract have ended, whichever occurs earlier. Section 1-210(b) (24) provides that nothing in the Freedom of Information Act shall be construed to require the disclosure of:

“Responses to any request for proposals or bid solicitation issued by a public agency or any record or file made by a public agency in connection with the contract award process, until such contract is executed or negotiations for the award of such contract have ended, whichever occurs earlier, provided the chief executive officer of such public agency certifies that the public interest in the disclosure of such responses, record or file is outweighed by the public interest in the confidentiality of such responses, record or file.”

4.6 RFQ/CP Documents and Addenda

All RFQ/CP documents and Addenda which impact the submission of Candidate SOQ/CPs, if any, will be posted on the Connecticut Department of Administrative Services website at: http://www.biznet.ct.gov/scp_search/BidResults.aspx?groupid=64

Additionally, Candidates may access this information by linking to www.ct.gov/dot, then "Doing Business With ConnDOT" after selecting "Construction Bidding and Contracts" bidders will get to: <http://www.ct.gov/dot/cwp/view.asp?a=2288&q=259258>

4.7 Changes in Candidate Organization between RFQ/CP and RFP

The Department encourages Candidates to develop and attract the local, domestic and worldwide expertise necessary to develop and implement the Project in an innovative, effective, and efficient manner and to submit those teams as part of the SOQ/CP. It is important that changes are not subsequently made that result in actual or potential organizational conflicts of interest or render the Candidate team, in the Department's sole determination, less qualified to develop and implement the Project. Therefore,

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following submittal of the SOQ/CPs, the following actions may not be undertaken without the Department's prior written consent:

- 4.8.1 Deletion, substitution or change in the composition of a Candidate team member identified in its SOQ/CP or a change in the role or scope of work of a team member;
- 4.8.2 Deletion or substitution of Key Personnel or a change in the role or position of such personnel;
- 4.8.3 Deletion or substitution of an equity owner of Candidate, a guarantor of the Candidate or any other entity that will bear financial responsibility or liability for the performance of the Candidate; and
- 4.8.4 Any other changes, direct or indirect, in the equity ownership of a Candidate.

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5.0 Detailed SOQ/CP Contents

This section describes the information that must be included in submitted SOQ/CPs and is intended to provide Candidates the chance to demonstrate their qualifications as well as explain their concepts on how to successfully deliver the Project. The Candidate's approach must contain sufficient detail for the Department to assess the framework of the proposed transaction. Submittals lacking any elements required in this section will be deemed non-responsive.

5.1 TAB #1: Letter of Submittal and General Candidate Information

5.1.1 Candidate Point of Contact

A submittal letter ("Letter of Submittal") shall be provided identifying the individual who will serve as the point of contact for the Candidate. The Letter of Submittal must include the point of contact's title, address, telephone, email address and fax number. This Letter of Submittal must be signed by an authorized representative of the Candidate's organization. Furthermore, the Department requires that the submission include the appropriate resolution, certification, or other legal authorization of the Candidate demonstrating that the person signing the Letter of Submittal has the authority to submit the document on behalf of the Candidate.

5.1.2 Candidate Team and Contacts

Clearly indicate the Candidate entity(ies) and provide the names and detailed addresses of all affiliated and/or subsidiary entities; indicate which entities are affiliates or subsidiaries. An affiliate shall be considered any business entity which is closely associated to another business entity so that one entity controls or has power to control the other entity either directly or indirectly. The Candidate entity(ies) together with such affiliated and/or subsidiary entities are referred to as "Candidate-Related Entities."

If any of the Candidate-Related entities are part of more than one SOQ/CP under the same or different name, then all SOQ/CPs submitted by any teams including that Candidate-Related entity shall be disqualified.

5.1.3 Certification of Good Standing

The Candidate must certify that neither the Candidate nor, to the Candidate's knowledge, any of its contractors or subcontractors, any person associated therewith in the capacity of owner, partner, director, officer, principal investigator, project director, manager, auditor or any position involving the administration of Federal or State funds:

- (a) is presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Governmental

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Authority;

(b) has, within the three (3)-year period immediately preceding the date of the submission of the SOQ/CP, been convicted of or had a civil judgment rendered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a transaction or contract for a governmental authority, violation of Federal or State antitrust statutes or commission or embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, tax evasion, violating Federal criminal tax laws;

(c) is presently indicted for or otherwise criminally or civilly charged by a governmental authority with commission of any of the offenses enumerated in subsection (b) of this Section; and

(d) has, within the three (3)-year period immediately preceding the date of the submission of the SOQ/CP had one or more transactions for a governmental authority terminated for cause for default.

5.2 TAB #2: Candidate Qualifications

5.2.1 Candidate Team Structure

The Candidate shall identify the legal and operational structure of the Candidate entity, including the names of each member of the Candidate. The Candidate, as defined in this section, will include all members with an equity ownership in the entity contracting with the Department for this Project. The Team Members include all entities that are being proposed to develop, deliver, operate and maintain the Project.

5.2.1.1 If the Candidate is (or will be) a partnership or joint venture, attach full names, telephone numbers, addresses, and email address of all partners or joint venture members and the equity ownership interest of each entity in the partnership or joint venture. If the Candidate is a joint venture, each member will be required to provide a written agreement to joint and several liability under the Development Agreement, in a form acceptable to the DOT.

5.2.1.2 Provide evidence that the Candidate and each member of the Candidate that is a corporation, limited liability company, partnership, limited partnership or other legal entity is currently in good standing in the state under whose laws the entity was formed and in compliance with all laws of the State of Connecticut applicable to such legal entities.

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5.2.1.3 Describe in detail the roles Team Members will play in the development, delivery, operations and maintenance of the Project with a particular emphasis on the Key Members. A Key Member is any Team Member which will play a major role in the development and delivery of the Project, e.g. provision of equity, property, design, construction, financing, operations and maintenance, etc.

5.2.1.4 Identify by position and name the personnel who will occupy the most important positions and roles for successful development and implementation of the Project (Key Personnel). Include an organizational chart clearly showing the structure and the role of all Team Members, the required professionals and their role within the team as well as availability for the Project. If personnel are proposed to change by phase (development, design and construction, operations and maintenance) then clearly delineate, as such.

5.2.2 Candidate Experience and Capabilities

The Candidate shall provide the Department with sufficient information to fully evaluate the experience of the Team Members on projects similar in scope, to the Project.

5.2.2.1 The Candidate must demonstrate that it has the technical capacity to design, construct, and develop the Project. At a minimum, provide descriptions of the experience of each Key Member. Describe the length of time in business, detail applicable experience for your proposal such as business experience, facility experience, transit-oriented development experience, public-private partnership experience, land development experience, design-build experience, property acquisition experience, parking management and systems, operations and maintenance and other similarly sized engagements of each Key Member and any major contractors and subcontractors.

5.2.2.2 The Candidate must also demonstrate that it has the technical and financial capacity to design, construct, develop, operate and maintain the Project. To this end, the SOQ/CP shall provide a summarization of the financial information regarding the Candidate and its Key Members. This information must demonstrate the ability to perform the services and develop the Project as set forth in the Candidate's SOQ/CP, including, but not limited to, the ability to obtain applicable insurance and appropriate payment and performance bonds, and financing necessary to carry out its conceptual proposal.

5.2.2.3 For any Candidates that are corporations, the Candidate must provide independently audited financial statements for the three (3) most recent fiscal years, as well as published interim accounts that relate to periods subsequent to

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the most recent audited accounts. If a Key Member is a joint venture, provide financial statements for each corporate joint venture member. If audited financial statements are not available for an entity, the Candidate must provide unaudited financial statements that are certified as true, correct and complete by the senior financial officer of the entity along with an explanation as to why audited financials are not available. In either case, each Candidate must also provide details of any material events that may affect the firm's financial standing since the last financial statements.

For any Candidate that does not have independent financial statements, the SOQ/CP must include a statement signed by an authorized representative of the entity explaining why financial statements are not available and providing sufficient and timely financial information to demonstrate that it has the financial resources to successfully execute the Project. The determination of the sufficiency of such alternate materials will be at the sole discretion of the DOT.

5.2.2.4 The Candidate's team shall provide examples of project experience within the last five years among the Team Members relevant to the Project. The examples shall clearly delineate the specific Team Members involved. The SOQ/CP shall include one-page narratives for each of the following categories with complete project descriptions, locations, dates of delivery, the Team Member(s), and individuals who played key roles, and client contact information. Client contact information shall include primary client point of contact along with their telephone number and email address. The DOT reserves the right to contact all such clients listed for references.

5.2.2.4.1 Information regarding at least three (3) relevant projects that the Candidate has developed and successfully completed on a timely basis.

5.2.2.4.2 Information regarding three (3) relevant parking or similar facility projects that the primary project designer of the Candidate's team has successfully completed.

5.2.2.4.3 Information regarding three (3) relevant parking or similar facility projects that the primary project contractor of the Candidate's team has successfully completed.

5.2.2.4.4 Information regarding three (3) relevant PARCS projects that the Parking System provider of the Candidate's team has successfully completed; and

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5.2.2.4.5 Information regarding three (3) relevant Operations and Maintenance (O&M) projects that the O&M provider of the Candidate's team has successfully completed.

5.2.3 Certification of No Adverse Matter and Ability to Perform Statement

The Candidate shall certify that there is no claim, action, suit, arbitration, mediation or proceeding at law or in equity or before or by any governmental authority pending against the Candidate that could reasonably be expected to have a material adverse effect (i) on the transactions contemplated by the proposal; or (ii) on the Candidate's ability to perform fully as contemplated by the proposal.

5.2.4 Certification of No Fraud, Collusion, or Conflict of Interest Statement

The Candidate shall certify that:

- 5.2.4.1 The Candidate has not engaged in fraudulent activity or collusion with another Candidate with regard to this solicitation;
- 5.2.4.2 The SOQ/CP submission does not constitute a conflict of interest or breach of ethics under the provisions of Title 1, Chapter 10 of the Connecticut General Statutes;
- 5.2.4.3 The SOQ/CP submission was not made in connection or concert with any other person known to the Candidate to be another Candidate. The Candidate did not employ any person, other than bona fide employees, advisors, and consultants working solely for the Candidate to solicit or secure an agreement that might arise from this RFQ/CP, nor has the Candidate paid or agreed to pay any person any fee, commission, percentage, brokerage fee, finder's fee, success fee, gift, kickback or any other consideration contingent upon or resulting from the execution of any such agreement.

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5.3 TAB #3: Conceptual Proposal

The Conceptual Proposal includes the Conceptual Development Proposal (CP) and the Conceptual Financing Proposal (CFP). The Conceptual Proposal should demonstrate how the Candidate will meet or exceed DOT's stated goals, requirements and objectives while providing the maximum value for the resources/property that will be made available to the Candidate. The CP and CFP should demonstrate the Candidate's practical and financial ability to realize and execute the concept.

5.3.1 Conceptual Development Proposal

The CP must provide a detailed narrative describing the critical Project issues and how they will be addressed. The CP should provide as much information as feasible. The use of graphics, including items such as maps and site layouts, is encouraged. Detailed architectural and engineering plans are not required in this RFQ/CP phase.

- 5.3.1.1 Description of the proposed delivery mechanism and contract duration, including the general roles and responsibilities of the Candidate, its Team Members and the Department with specific reference to ownership of each component. If a long-term lease is involved, the CP must address how handback provisions will occur, e.g. the reversion of the property back to the State at the end of the proposed lease.
- 5.3.1.2 Description of the proposed parking garage and related improvements, including conceptual design and construction schedule (to the extent possible), estimated capital costs, and the number of spaces provided to the Department.
- 5.3.1.3 Description of the approach with respect to operations and maintenance activities and costs related to the Project, including the proposed roles and responsibilities of the Candidate, its Team Members and the Department. If the strategy includes long-term operations and maintenance functions then long-term major maintenance investments must be addressed.
- 5.3.1.4 Description of the proposed improvements to Station Place, including potential land developments at or adjacent to the STC.

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- 5.3.1.5 If the TOD proposal includes the construction of the required commuter parking garage on the Original Garage site, then include a description of how the Candidate will support the provision of temporary or substitute parking during the demolition the Original Garage within the Acceptable Walking Distance as well as the construction of permanent parking on the Original Garage site.
- 5.3.1.6 Description of how the proposal will support TOD and economic activity in the area adjacent to the STC.
- 5.3.1.7 Description of how the proposal will address and mitigate impacts to vehicular and pedestrian access during construction and operations including access to the 2004 Garage and the Stamford Station.
- 5.3.1.8 Description of how the proposal will provide improvements to Station Place for taxis as well as a Kiss and Ride during construction and then operations.
- 5.3.1.9 With regard to the proposed PARCS, provide a description of (i) how a proposed PARCS will be implemented, (ii) the PARCS functionality, (iii) its integration with the 2004 Garage; and (iv) how it will be interconnected with the security office, including new security cameras and the emergency call system.
- 5.3.1.10 Description of the Candidate's plan to provide parking availability information to commuters if parking is no longer proposed to be in a single location.

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5.3.2 Conceptual Financing Proposal

Candidates must submit a high-level, preliminary financing strategy that describes the Project financing approach and preliminary financial structure of the Project as envisioned by the Candidate. Any finance arrangements need to be elaborated upon in the Candidate's CFP, which should include the following items to provide the Department with sufficient information to fully evaluate the CFP:

- 5.3.2.1 Description of financial strength of the Candidate;
- 5.3.2.2 Estimated project costs, including capital, operating, and maintenance costs;
- 5.3.2.3 General financial plan and strategy indicating how the Project costs will be funded;
- 5.3.2.4 If the financial plan relies on debt financing, then a description of the magnitude and the expected timing for the receipt of this financing source;
- 5.3.2.5 If the financial plan envisions a lease agreement, then include a description of the potential lease type, the duration, and general terms;
- 5.3.2.6 The extent of the Department's financial participation during design and construction;
- 5.3.2.7 The extent of the Department's financial participation during operations;
- 5.3.2.8 Proposed concepts with regard to parking rates, including the magnitude and timing of parking increases, proposed escalation rates used (if applicable), discount programs, and any other relevant elements related to parking rate policy;
- 5.3.2.9 Assess the revenue stream that is estimated to be realized by the Department from the Replacement Garage;
- 5.3.2.10 Describe the revenue stream will be provided to the Department for any development associated with land and/or air rights beyond the Replacement Garage; and

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- 5.3.2.11 Any estimated additional compensation or benefit, in addition to the Project, that will be provided to DOT in consideration for the resources, rights and property to be provided.

5.4 TAB #4 - Other Required Certifications and Documents

In addition to the other certifications required in this RFQ/CP, the Candidate shall acknowledge as part of their submission that they are able to and will comply with the requirements of this section as part of any agreement resulting from this solicitation (“the Agreements”).

5.4.1 Applicable Law

The Agreements shall be governed by and interpreted in accordance with the laws of the State of Connecticut.

5.4.2 Transparency

All submissions in response to this RFQ/CP are to be the sole property of the State, and subject to the provisions of the Connecticut Freedom of Information Act as further described and with the exceptions stated in Section 4.5., SOQ/CPs will not be returned to the submitting Candidate at any time.

5.4.3 Proceedings Affecting Agreement

There is no claim, action, suit, arbitration, mediation or proceeding at law or in equity or before or by any governmental authority pending against the Candidate that could reasonably be expected to have a material adverse effect (i) on the transactions contemplated by the Agreements; (ii) the validity or enforceability of the Agreements; or (iii) the Candidate’s ability to perform fully as contemplated by the Agreements.

5.4.4 Fraud

Following its own independent investigation, examination and due diligence with respect to the subject matter hereof without any representation or warranty (whether express or implied, in fact or in law) by or on behalf of DOT, the Candidate has not engaged in fraudulent activity or collusion with another Candidate

5.4.5 Bribery

Following its own independent investigation, examination and due diligence with respect to the subject matter hereof without any representation or warranty (whether express or implied, in fact or in law) by or on behalf of DOT, the Candidate has not bribed or attempted to bribe any officer, agent or employee of DOT or the State in connection with the Proposal or execution of the Agreements or paid or agreed to pay any finder’s fees,

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success fees, kickbacks or similar consideration to any Person in connection with Proposal or execution of the Agreements.

5.4.6 Non-Discrimination

In compliance with sections 4a-60 and 4a-60a of the Connecticut General Statutes, the Candidate will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, sexual orientation, national origin, ancestry, sex, gender identity or expression, mental retardation, mental disability or physical disability, including, but not limited to, blindness, unless it is shown by such Candidate that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the State of Connecticut; and the Candidate further agrees to take affirmative action to insure that applicants with job-related qualifications are employed and that employees are treated when employed without regard to their race, color, religious creed, age, marital status, sexual orientation, national origin, ancestry, sex, gender identity or expression, mental retardation, mental disability or physical disability, including, but not limited to, blindness, unless it is shown by the Candidate that such disability prevents performance of the work involved.

The Candidate agrees, in all solicitations or advertisements for employees placed by or on behalf of the Candidate, to state that it is an "affirmative action-equal opportunity employer" in accordance with regulations adopted by the CHRO.

The Candidate agrees to provide each labor union or representative of workers with which the Candidate has a collective bargaining agreement or other contract or understanding and each vendor with which the Candidate has a contract or understanding, a notice to be provided by the CHRO, advising the labor union or workers' representative of the Candidate's commitments under this section and to post copies of the notice in conspicuous places available to employees and applicants for employment.

If the contract is a public works contract, the Candidate agrees and warrants that the Candidate will make good faith efforts to employ minority business enterprises as subcontractors and suppliers of materials on such public works projects.

5.5 Applicable Federal Laws

The delivery of the Project must conform to requirements of applicable federal law, regulations and policies. The Department anticipates that certain federal requirements will apply, including but not limited to Equal Opportunity requirements (Title VI of the Civil Rights Act of 1964, as amended), and the Americans with Disability Act (as further described below).

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5.5.1 Americans With Disabilities Act Compliance

The Candidate will be responsible for ensuring that the proposed facilities delineated in the SOQ/CPs are in compliance with the Americans with Disabilities Act. The Department encourages SOQ/CPs that demonstrates a viable and comprehensive plan to recruit, hire and retain qualified persons with disabilities.

5.6 Compliance with SBE/MBE

Any contracts awarded by the successful Proposer in the development of the Project must comply with the small business enterprise (SBE) and minority business enterprise (MBE) requirements of section 4a-60g of the Connecticut General Statutes, as may be applicable.

5.7 Transfer Act

If the SOQ/CP includes a land swap of property that would be considered an “establishment” under the Connecticut Transfer Act (§§ 22a-134 through 22a-134e of the Connecticut General Statutes), there must be a commitment that the property will be transferred in accordance with the Transfer Act and that the Candidate will be the certifying party.

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6.0 Evaluation of Statement of Qualifications and Conceptual Proposals

6.1 Evaluation of SOQ/CP – Shortlist

The Evaluation Team will review all SOQ/CPs for responsiveness and satisfaction of the evaluation criteria as set forth in this Section 6. DOT reserves the right, in its sole discretion, to conduct individual interviews with Candidates to gain additional information prior to making a final short-listing decision. If a decision is made to hold interviews, specific instructions will be provided as to how the interviews will be conducted. The Department reserves the right to ask questions of the Candidates in written form outside of a formal interview process.

The SOQ/CPs that are designated by the Evaluation Team as being responsive and meeting the evaluation criteria as set forth in this Section 6 shall be considered to be shortlisted Candidates. All Candidates shall be notified regarding whether they have been short-listed.

6.2 Responsiveness

The Evaluation Team will review each submitted SOQ/CP for:

- (i) conformance to the RFQ/CP instructions regarding organization and format; and
- (ii) the responsiveness of the Candidate to the requirements set forth in this RFQ/CP.

Proposals that are deemed to be not responsive to this RFQ/CP may be excluded from further consideration and the Candidate will be so advised. The Department may also exclude from consideration any proposal that contains a material misrepresentation.

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6.3 Evaluation Criteria

The SOQ/CPs will be evaluated based upon whether they meet all of the following criteria:

Table 3: Evaluation Criteria

Evaluation Criteria
Whether the Candidate Team has the requisite experience to enable it to successfully complete the Project on a timely basis.
Whether the Candidate Team is managed and structured in a manner that will enable the team to successfully develop and deliver the Project
Whether the Proposal Team's structure and financial capacity is sufficient for it to successfully complete the Project on a timely basis
Whether the Candidate's conceptual development proposal demonstrates the ability to meet the goals, requirements and objectives of the DOT as set forth in this RFQ/CP.
Whether the Candidate's conceptual financial proposal demonstrates a viable approach that brings value to the DOT

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7.0 Rights of the Department

DOT reserves the right to modify, add to, or delete terms or conditions addressed in this RFQ/CP and the subsequent RFP at any time during the selection process and the negotiation process after a selection has been made, when it is deemed to be in the best interest of the State to do so. There shall be no recourse against DOT or the State or the selected Candidate by prospective candidates for changed terms or conditions.

- The right to cancel, withdraw, postpone or extend this RFQ/CP in whole or in part.
- The right to issue a new RFQ/CP.
- The right to modify any references to the subsequent RFP process.
- The right to reject any and all submittals, responses and conceptual proposals received under this RFQ/CP at any time.
- The right to terminate evaluations of responses received at any time.
- The right to suspend and terminate the procurement process for the Project at any time.
- The right to permit corrections to data submitted with any response to this RFQ/CP until the Notification of Shortlisted Candidates date
- The right to issue addenda, supplements, and modifications to this RFQ/CP until the Notification of Shortlisted Candidates date.
- The right to permit submittal of addenda and supplements to data previously provided with any response to this RFQ/CP until the Notification of Shortlisted Candidates date.
- The right to hold meetings and conduct discussions and correspondence with one or more of the Candidates responding to this RFQ/CP to seek an improved understanding and evaluation of the responses to this RFQ/CP.
- The right to seek or obtain data from any source that has the potential to improve the understanding and evaluation of the responses to the RFQ/CP, including the right to seek clarifications from Candidates.

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- The right to permit Candidates to add or delete firms and/or key personnel until the Notification of Shortlisted Candidates date.
- The right to add or delete Candidates' responsibilities in this RFQ/CP from any subsequent development agreement.
- The right to appoint the evaluation team and to replace any appointee who cannot serve or becomes unwilling to serve.
- The right to use assistance of technical and legal experts and consultants in the evaluation process.
- The right to waive minor deficiencies, informalities and irregularities in an SOQ/CP, Conceptual Proposals or Comprehensive Proposals.
- The right to disqualify any Candidate or Proposer that changes its submittal without Department approval.
- After submittals to the RFP have been received, the Department reserves the right to conduct preliminary negotiations with more than one proposer until a Notification of Preferred Proposer is issued. At that point, negotiations will be solely with the Preferred Proposer unless and until the Department is unable to reach agreement with the selected Preferred Proposer. In that instance, the Department reserves the right to negotiate with the next highest ranked Proposer.
- The Department reserves to itself all rights available to it under all applicable law, both State and Federal.

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7.1 Department Will Not Indemnify Candidate

Candidates acknowledge and understand that DOT and the State are sovereign, and, as such, cannot accept any proposal that would include any requirement for DOT or the State to indemnify and hold harmless the Candidate.

7.2 Department Not Obligated For SOQ/CP Costs

Each Candidate, and not DOT or the State, shall be responsible for all of its costs to participate in this RFQ/CP process, including, but not limited to, costs incurred in the preparation of the SOQ/CP, its conduct of investigative and other due diligence activities, and its participation in any discussions or meetings.

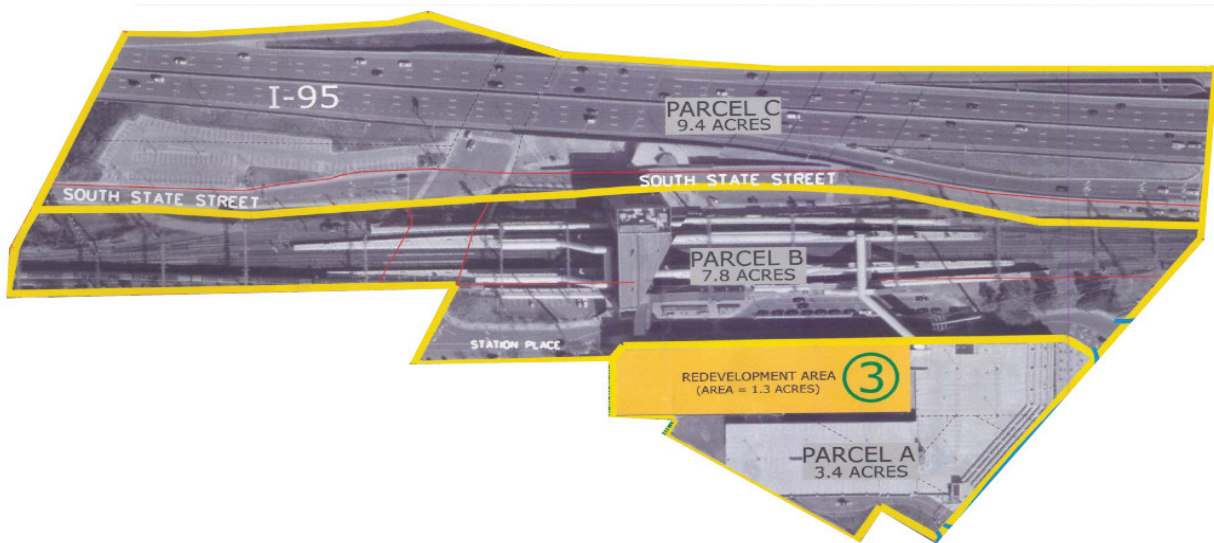
7.3 RFQ/CP Not an Offer

This RFQ/CP does not constitute an offer by DOT. Moreover, even if DOT initially elects to enter into discussions with any Candidate, no binding contract, obligation to negotiate or discuss, or any other obligation shall be created unless an agreement is executed by the State and a Proposer. Any recommendations or conclusions from this RFQ/CP process concerning any Candidate shall not constitute a right (property or otherwise) under the Constitution of the United States or under the Constitution, case law, and statutory law of the State. Candidates waive any right to bring any claim, whether in damages or equity, against DOT, its agents and employees, with respect to any matter arising out of any process associated with this RFQ/CP.

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EXHIBIT 1: Potential TOD Redevelopment Area

The figure below shows the potential TOD redevelopment properties adjacent to the Stamford Transportation Center as well as the potential properties that could be considered for air rights as a part of a TOD transaction.

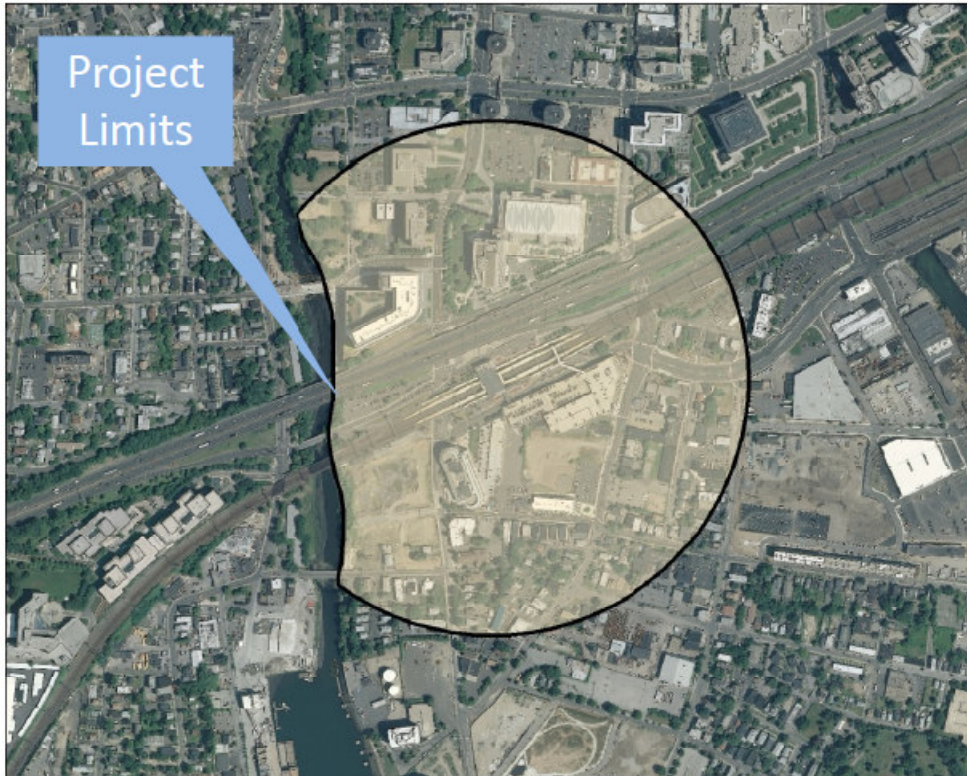


Proposed TOD
Redevelopment Area is 3
Parcel A is the 2004 Garage - Parcel B Station and Station Place - Parcel C is South State Street and I-95

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EXHIBIT 2 Acceptable Walking Distance

The map below displays the radius of the Acceptable Walking Distance for locations where the Replacement Garage could be located.



Acceptable Walking Distance

Note: Above project limits are approximate for graphical representation only. Maximum walking distance from proposed parking facility to Stamford Transportation Center not to exceed ¼ mile.

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APPENDIX 1: Release and Indemnification Form, Mandatory Pre-Proposal Conference and Site Visit

IN CONSIDERATION of being given the opportunity to participate in the RFQ/CP pre-proposal conference and site visit pursuant to the Connecticut Department of Transportation Request for Qualifications and Conceptual Proposals for the Transit-Oriented Development of the Stamford Parking Garage, the undersigned, for itself, its executors, administrators, heirs, next of kin, agents, successors and assigns:

1. ASSUMES all of the risks of participating in the pre-proposal conference and site visit, including by way of example and not limitation, any risks that may arise from negligence or carelessness on the part of the State of Connecticut from dangerous or defective equipment or property owned, maintained, leased, rented or controlled by them, or because of their possible liability without fault.
2. AGREES AND WARRANTS to examine and inspect each aspect of the pre-proposal conference site and site of the site visit, and to take no action that would place him/her in a position of danger, to heed all warnings or instructions by on-site officials, and to act with the highest care and caution while attending the pre-proposal conference and conducting the site visit.
3. ACKNOWLEDGES that this Release will be used by the State of Connecticut and any subdivision thereof and that it will govern the actions and responsibilities of the undersigned at the pre-proposal conference and site visit.
4. HEREBY WAIVES, RELEASES, DISCHARGES the State of Connecticut or any subdivisions thereof from all liability, claims, demands, losses or damages on account of the undersigned caused or alleged to be caused by the negligence of the State of Connecticut, or any subdivision thereof, including by way of example and not limitation, liability, claims, demands losses or damages arising from the undersigned's death, disability, personal injury, property damage, property theft, or actions of any kind which may hereafter occur during the pre-proposal conference or site visit, and FURTHER COVENANTS NOT TO SUE the State of Connecticut or any subdivisions thereof on account of the negligence of the State of Connecticut or any subdivision thereof relative to the pre-proposal meeting or site visit. The undersigned further agrees to that if, despite this release and waiver of liability, the undersigned, or anyone on the undersigned's behalf, makes a claim against the State of Connecticut or any subdivision thereof, the undersigned WILL INDEMNIFY, SAVE, AND HOLD HARMLESS the State of Connecticut or any subdivision thereof from any litigation, expenses, attorney's fees, loss, liability, damage, or cost which the State of Connecticut or any subdivision thereof may incur as a result of such claim, to the fullest extent permitted by law.

CONNECTICUT DEPARTMENT OF TRANSPORTATION

2800 Berlin Turnpike
Newington, Connecticut 06111

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The undersigned hereby certifies that he/she has read this Release, fully understands its terms, understands that he/she has given up substantial rights by signing it and has signed it freely and without any inducement or assurance of any nature. The undersigned intends this release of liability to be construed broadly and to be a complete and unconditional release of all liability to the maximum extent permissible under applicable law. The undersigned agrees that if any portion of this Release is held to be invalid, the balance, notwithstanding, shall continue in full force and effect.

DATE: _____

SIGNED: _____

Print Name of Individual: _____

REPRESENTING: _____
(Name of company or entity)