Seattle Parks & Recreation

REQUEST FOR PROPOSALS (RFP)
WARREN G. MAGNUSON PARK
REDEVELOPING FACILITIES AND OPERATING PUBLIC PROGRAMMING
BUILDING 47: ARTS, THEATRE, AND FILM CENTER

MAILING ADDRESS AND CONTACT INFORMATION:

Seattle Parks & Recreation – Magnuson Park
Attention: Brian Judd, Magnuson Park Manager
6310 NE 74th St., Suite 109E
Seattle, WA 98115
Phone: (206) 684-4946
Email: Building47@Seattle.gov

You can also access the RFP packet at the Seattle Parks & Recreation Partnership Web Site: http://www.seattle.gov/parks/about-us/do-business-with-us/current-opportunities/magnuson-park-building-47-rfp

West Elevation 1940's

West Elevation 1990's

WOMEN AND MINORITY BUSINESSES ARE ENCOURAGED TO SUBMIT A PROPOSAL FOR REDEVELOPMENT AND PUBLIC PROGRAM OFFERINGS IN BUILDING 47

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1. RFP INTRODUCTION AND OVERVIEW

The City of Seattle Department of Parks & Recreation (SPR) is seeking proposals for the re-development and renovation of the Building 47 Theatre located within Warren G. Magnuson Park (Magnuson Park). Building 47 was designed and used as a recreation building by the U.S. Navy from 1941-1991. The building contains approximately 50,060 square feet divided between a two-story south wing, gymnasium, swimming pool, and a 540-seat Theatre. The theatre contains approximately 9,130 square feet including a main floor, lobby, stage, lower level (green room), mezzanine and balcony (including projection room). An indoor swimming pool room contains approximately 5,640 square feet. This RFP package requests submissions regarding the theatre and the indoor swimming pool sections of the building only.

Building 47 was unique relative to the other buildings within the historic district, designed and constructed as one structure in 1941. It officially opened just 10 days after the bombing of Pearl Harbor and the United States' entry into the Second World War. Descriptions at the time stated that the purpose of the building was to keep enlisted officers physically fit through recreation activities. The north end of the building was designed as a motion picture theatre including a small stage, an upper balcony and a film projector booth. A small green room exists below the stage. Design drawings from late 1940 show many interior and exterior building features that were either altered or not constructed. On the interior and exterior of the building there are Art Deco design features. The front facades of the building along 62nd Avenue NE feature brick cladding while the north and east sides are composed of exposed board formed concrete. An Art Deco style canopy with aluminum fascia and steel supporting rods shelters the entrance to the theatre.

A major renovation by Seattle Parks & Recreation in 2002-2003 led to the opening and operation of the Magnuson Community Center. The design review for these renovations revealed ADA and other accessibility issues in the theatre balcony, resulting in the balcony being closed for use. After renovations were complete, in 2005 SPR sought performing arts groups interested in providing public programming in the theatre. The current tenant has made several improvements to the Theatre, such as extending the stage performing area into a former orchestra pit.

Through this RFP, SPR is seeking a proposer(s) that can make a significant capital investment in exchange for a long-term Agreement. Proposals should include the management and operation of arts, theatre, and film and/or cultural programming that will be open to the public. SPR does not have designated funding for this redevelopment; therefore, proposals should also include a well-defined funding plan to upgrade the building to meet all current code requirements.

The successful proposer (s) will be invited to negotiate a lease agreement under which the proposer(s) will redevelop, operate and manage the Building 47 Theatre and its facilities for the approved use(s) and programming for a term that is commensurate with the Proposer's financial commitment.
Specific terms and conditions of a lease agreement are negotiable. Fair market rent may be partially offset by a combination of capital improvement costs and measurable public benefit services.

Table 1 - RFP Schedule

Event	Date	Location
RFP Package Available	March 22nd, 2019	
Site Tours These are formal tours provided by SPR staff. All visitors will be required to sign-in and all questions and answers asked during the tour will be published on the RFP web site.	April 4th, 2019, 10 a.m. April 25th, 2019, 1 p.m. May 9th, 2019, 3 p.m.	**Building 47** **Magnuson Park** **7110 62nd Ave. NE** **Seattle, WA. 98115**
Open Houses **(10 a.m. – 12 p.m.)** These tours will be informal, providing teams access to the building to aid in developing proposals. All questions from these open houses will be submitted by Proposer(s) via email (building47@seattle.gov). These questions and respective answers will be published on the RFP web site until the deadline noted below.	April 11th, 2019 May 23rd, 2019 May 30th, 2019	**Building 47** **Magnuson Park** **7110 62nd Ave. NE** **Seattle, WA. 98115**
Deadline for Written Questions to SPR Questions can be sent to: building47@seattle.gov	May 15th, 2019	
Proposals Due to the City All proposals must be submitted by 4 p.m.	June 5th, 2019, 4 p.m.	
RFP Evaluations During this time-period, Proposer(s) may receive questions with a response timeline from the SPR evaluation team. Proposer(s) may also be invited by the evaluation team for an in-person interview.	June 5th, 2019 – August 16th, 2019	
Evaluations Team makes award recommendation to the Superintendent of SPR	August 16th, 2019	
Superintendent announces award	September 15th, 2019	
Anticipated Contract Negotiation Schedule	To be determined	
Submit Agreement for City Council Approval	Following conclusions of negotiations	
Anticipated Contract Execution	Following City Council approval	

SPR reserves the right to modify this schedule at its discretion. Notification of changes will be posted on the RFP website or as otherwise stated. All inquiries regarding this RFP must be directed to the Magnuson Tenant Development Coordinator listed on the first page through email or other written communication.

2. DESCRIPTION OF PROJECT AND SELECTION PROCESS

2A. Description of Project:

SPR seeks to negotiate an agreement with the successful Proposer(s) for the redevelopment and ongoing programming and operation of the Building 47 Theatre and decommissioned pool area. Proposals should address existing gaps in arts, theatre, and film and/or cultural programs within the SPR system and at Warren G. Magnuson Park. Fair market rent may be partially offset by capital improvement costs and by measurable, public benefit services.

While SPR is encouraging interested groups to work in partnership to develop a comprehensive proposal, SPR intends to select one lead organization/business and negotiate a master agreement. This entity or organization shall be responsible for all aspects of the intended contract, including but not limited to:

- Financing
- Architectural and engineering design
- Construction
- Operation of services and programs
- Historic preservation requirements
- Land and Building use permitting

To be selected, the Proposer(s) must demonstrate the ability and experience to fund, develop and manage:

1. Building and site improvements
2. Tenant improvements
3. All public programming described in the submitted proposal
4. A Public Benefit plan

To be selected, the Proposer(s) must provide verifiable:

1. Capital and/or other resources on-hand demonstrating a capacity to finance the submitted plans with limited reliance on public funding.

The Proposer(s) will also be responsible for all permitting costs as well as the operation and ongoing internal maintenance costs associated with the Building 47 Theatre and decommissioned pool area throughout the negotiated term. SPR will maintain responsibility for the building shell and roof and will perform routine maintenance on the shell and roof consistent with SPR standards and building conditions during the negotiated term.

In terms of the proposed building use, the successful Proposer(s) will:

- Align operations with SPR's mission, and all master plans developed for Magnuson Park. These documents are all available to reference on the RFP web site listed here: http://www.seattle.gov/parks/about-us/do-business-with-us/current-opportunities/magnuson-park-building-47-rfp

- Operate with competitive pricing as compared to other comparable public programming.
- Communicate and coordinate with SPR regarding construction and ongoing operations in a timely and complete manner.

In 2002-2003, portions of Building 47 were renovated. The Theatre renovations included seismic and structural upgrades, a new HVAC system, new common area restrooms (shared with the community center), and electrical system upgrades. Improvements in the Theatre or adjacent areas may require additional seismic, structural, ADA, utility system upgrades, hazardous materials remediation, and other upgrades. All proposers will be responsible for assessing the current condition of the building in order to obtain a certificate of occupancy.

All background documents provided by SPR, including but not limited to, this RFP are provided solely to provide general background for the types of projects the City is potentially seeking to locate in Building 47. This RFP and other background documents are not a promise that any particular condition exists or will exist at Building 47 or Magnuson Park. Information provided by SPR is not intended to be complete and should not be considered a substitute for each Proposer(s)' own due diligence. SPR disclaims any warranties or representations that information within this RFP and other background documents is complete or accurate for any Proposer(s) intended uses, and Proposer(s) are urged to seek additional information as appropriate for their proposal.

Building 47 is located within three historic preservation districts. Therefore, any exterior alterations will require both State and City review. If federal historic preservation tax credits are intended to be used, then interior alterations will require review by the Washington State Department of Archaeology and Historic Preservation (DAHP) and the National Park Service (NPS).

Several deed covenants exist on SPR-owned buildings at Magnuson Park. A key covenant specifies that properties *"….shall be used and maintained for public park and recreation purposes in perpetuity."* Any new uses will require approval by NPS, in addition to City approval processes. SPR is willing to assist and support the selected Proposer(s) in seeking to obtain exceptions or waivers from NPS. All prospective uses must comply with the "Recreational Purpose" requirements under the Deed Restrictions.

For additional information about deed covenants and the Federal Lands to Parks transfer please visit: www.nps.gov/ncrc/programs/flp/index.htm

2B. Basis of Selection:

SPR will review and evaluate the submitted proposals based on the written response to the Proposal Questionnaire outlined in this RFP.

Selection of the successful proposal will be determined through an evaluation of the Proposer(s)' ability to fund, redevelop and renovate the Building 47 Theatre and decommissioned pool area; and to operate arts and cultural programing based on the information submitted within the proposal.

A review panel will score each proposal per the criteria outlined in Section 3 and *may* invite top candidates to an interview. SPR reserves the right to seek additional clarification or information through written questions. The review panel will make a recommendation identifying the successful proposal to the Superintendent of Parks & Recreation.

The Superintendent will, at Superintendents' sole discretion, make the final decision regarding acceptance or rejection of the panel's recommendation. The Superintendent reserves the right to reject all proposals, or to select a different proposal, as the Superintendent determines to be in the best interest of SPR. If the Superintendent selects a Proposal, SPR will work to negotiate an agreement with the Proposer. If SPR and the initial successful Proposer are unable to negotiate a mutually acceptable agreement, SPR reserves the right to select another proposal for negotiation until the RFP process either terminates or results in an agreement. To be binding on the City, any agreement developed through this RFP process must be authorized by the Seattle City Council.

3. BUILDING 47 REQUEST FOR PROPOSALS QUESTIONNAIRE

Please be sure to answer each question and submit with the entire proposal package by, Wednesday, May 29, 2019, 4:00 pm. No applications will be accepted after this due date and time.

SPR has provided key documents, technical specifications, and other supplemental information on Building 47 at the RFP web site: http://www.seattle.gov/parks/about-us/do-business-with-us/current-opportunities/magnuson-park-building-47-rfp

QUESTIONNAIRE

Questions A – D relate to use and programming. This section is worth 30% of total scoring points or 90 points out of 300.

A. OVERVIEW AND PROPOSED USES

Describe the public arts, theatre, and film and/or cultural programming proposed by your organization for the Building 47 Theatre. Describe how your proposed building and/or site reuse will meet or exceed goals and objectives established in:

- SPR's mission
- Master plans developed for Warren G. Magnuson Park
- 2012 Magnuson Park Strategic Development Plan

6% or 18-point value

B. ARTS, THEATRE, AND FILM, AND/OR CULTURAL PROGRAM NEEDS

Discuss how your proposal addresses arts, theatre, and film and/or cultural programming needs identified in SPR, King County or other regional parks, recreational, or cultural plans. What is the anticipated demand/need for your proposed use? How many people do you anticipate would use your proposed facilities? What geographic areas do you anticipate attracting visitors from? What demographic or other information can you provide about your prospective user groups? Can you provide examples of similar facilities elsewhere?

8% or 24-point value

C. BUSINESS AND STAFFING PLANS

SPR expects that Proposer(s) will implement their plans as described in their responses to questions A & B.

1. How do you plan to market your services, products and operation? How will you specifically market to Magnuson Parks Residents?
2. What is your staffing plan for operations and maintenance? (Please include a proposed organization chart.)
3. What is your safety plan if your use includes specialized facilities or equipment?
4. Do you intend or desire to use other areas or facilities at Warren G. Magnuson Park for your programming and operations? If so, please explain.

8% or 24-point value

D. PLANNING, DESIGN AND CONSTRUCTION

Provide a description of the proposed project and design development drawings that include:

- Conceptual schematic design drawings and/or other graphics
- Site plan
- Floor plans and square footage of all activity. Include the proposed location(s) of all internal and exterior building improvements.
- Elevation drawings of any indoor and outdoor facilities
- Internal building room layouts and dimensions
- Outline of construction specifications
- Identification of the basic construction materials
- Site improvements (walkways, decks, landscape areas, etc.)
- Access routes and a parking plan

All designs and plans must comply with all applicable laws and regulations, including, but not limited to, the Americans with Disabilities Act (ADA) and its design standards under both Titles II and III.

Please describe any contingencies that you desire or may affect the project.

8% or 24-point value

Questions E-G involve construction phasing and design, and together account for 10% of total scoring, or 30 -points out of 300 points available.

E. **CONSTRUCTION PHASING PLAN**

Provide a construction phasing plan if building renovations are anticipated to occur over several months or years. The phasing plan must identify land use, permitting, demolition, construction, operations, public programming and uses, and the specific building area by year of outlined project. The phasing plan must also identify specific building elements which would be repaired or fully replaced to stabilize the building prior to future phases.

3% or 10-point value

F. **ENVIRONMENTAL AND ENERGY EFFICIENT DESIGN AND CONSTRUCTION**

How will the environmental sustainability of the Building 47 Theatre be improved, both in the design and renovations? For example, will the project incorporate such features as improved insulation or energy-efficient building systems? Are there other environmentally responsible designs or building methods you intend to use?

3% or 10 -point value

G. **HISTORIC PRESERVATION**

How will the project preserve key architectural features of Building 47? What is the plan to publicly recognize the historic significance of the former Naval Recreation Building? Will you be pursuing Federal Historic Preservation tax credits as part of your financing plan?

3% or 10-point value

Questions H-K concern financing, public benefit, and team composition. This section is worth 60% of total scoring or 180 points out of 300 points available.

H. **FUNDING OF CONSTRUCTION AND OPERATIONS**

- What is the estimated project cost? Please include the name and firm of the project estimator. Please break down project cost by category. What is the specific project funding plan? Please include cash on hand, financial letters of credit, letters of loan amounts, etc. What current resources have been secured for the proposal? What is/are the source(s) of your funding (bank loans, public investment, personal capital, etc.)?

- Clearly explain the timing and contingencies of your operations funding plan, and how you will fund subsequent operations of proposed public programming. What revenues do you anticipate generating from programming and other uses? How do you plan to fund facilities management, maintenance, staff, and operations?

Please demonstrate that you have secured appropriate funding which meets the project schedule you propose and state any special conditions or requirements of your funding. Provide financial statements and relevant information to demonstrate the ability to finance and complete the proposed project. Please explain how you will fund the proposed improvements, including the identity of any third-party that will provide financing for the project and the nature and timing of their commitment**.**

30% or 90-point value

I. COMMUNITY OUTREACH PLAN

Provide details of your proposed comprehensive community outreach plan. How will the vision for improving and redeveloping the Building 47 Theatre be communicated to the many stakeholders at Magnuson Park and the surrounding community? What strategies and techniques will you employ to communicate your vision and respond to public concerns?

Please refer to (cut-and-paste links into your web browser):

- The City of Seattle's Race and Social Justice Initiative: http://www.seattle.gov/rsji
- The Parks & Recreation Public Involvement Policy: https://www.seattle.gov/Documents/Departments/ParksAndRecreation/PoliciesPlanning/PublicInvolvementPolicy.pdf
- The Inclusive Outreach and Public Engagement (IOPE) guide: https://www.seattle.gov/Documents/Departments/ParksAndRecreation/Business/RFPs/Attachment5%20_InclusiveOutreachandPublicEngagement.pdf

4% or 12-point value

J. PUBLIC BENEFIT

SPR seeks a Proposer(s) who will provide a measurable public benefit as part of the development and ongoing operations in the Building 47 Theatre. This includes free and reduced-price activities, existing facilities that are made accessible to the public, and new facilities and programs that are created for public use. Please describe how public benefit is outlined in your team proposal. How will you document and report public benefits to SPR and the community at large? Please refer to Appendix I for the full definition of Public Benefit.

20% or 60-point value

K. PROJECT TEAM AND ORGANIZATIONAL STRUCTURE

Successful building redevelopment and operation of public programming in the Building 47 Theatre will require an experienced team, entity, or organization with the financial resources and experience in facility redevelopment and operations. A project team should include a full complement of professionals qualified in planning, design, construction, historic preservation, operations, and maintenance of facilities appropriate to the proposed building reuse and public programming. Defined roles of the team should include an architect, engineer, general contractor, project manager, and fundraising team all holding relevant professional certifications. The project team members should also have experience working with organized labor and a commitment to participating in the City's WMBE and Priority Hire Programs. Please provide a detailed description of your proposed lead entity or organization and project team including a list of key team members, their experience and qualifications, and business references for each; clearly identify the project lead or manager. Please indicate how the lead organization will be structured; whether as a corporation, non-profit, etc. If your proposal includes multiple organizations, please indicate how the overall group will be organized and how the member organizations will interface.

6% or 18-point value

I, the undersigned, attest to the accuracy and intent of the information presented herein.

AUTHORIZED SIGNATURE: _____

PRINTED NAME: _____

TITLE: _____

ORGANIZATION OR
COMPANY NAME: _____

ADDRESS: _____

_____

_____

TELEPHONE: _____

EMAIL ADDRESS: _____

DATE: _____

Please be certain to provide complete contact information and sign the Questionnaire.

Proposal Submittal

Submit seven (7) bound copies, and one (1) electronic copy of the response on a USB Drive. Delivery is to the location specified on page 11, Table 2.

A. Hard-copy responses should be placed in a sealed box or envelope and addressed to the Warren G. Magnuson Park, Tenant Development Coordinator. Proposals must be clearly marked as a proposal for the Building 47 Theatre RFP.

B. The submitted proposal may be hand-delivered or be received via delivery service by an SPR Magnuson Park Administrative Office staff member at the address provided by the submittal deadline.

C. All pages are to be numbered sequentially and follow the provided questionnaire format.

D. SPR does not have page limits specified in the submittal instructions section.

E. The Proposer(s) has/have full responsibility to ensure their proposal arrives at SPR by the deadline.

Table 2 – RFP Delivery Option

USPS & Hand Delivery Physical Address	Due Date and Time
Seattle Parks & Recreation Warren G. Magnuson Park Attention: Cole Dietrich 6310 NE 74th St., Suite 109E Seattle, WA 98115	Wednesday, May 29th, 2019, 4 PM.

Only the following SPR officials may speak for SPR regarding this RFP: SPR Superintendent, SPR Deputy Superintendent, Magnuson Park Tenant Development Coordinator, Magnuson Park Manager, SPR EPIC Division Director and any other such official(s) the Superintendent may designate. If any Proposer seeks information, clarification, or interpretations from any other City official or City employee, SPR will not be bound by these unofficial communications. Any Proposer(s) relying on or using such information does so at its own risk. Following the proposal submittal deadline, Proposers must continue to direct all communications regarding the RFP to the Warren G. Magnuson Park Tenant Development Coordinator listed on the first page.

PROPOSER(S) RESPONSIBILITY TO PROVIDE FULL RESPONSE

It is each Proposer(s) responsibility to provide responses which do not require interpretation or clarification by SPR and to ensure that all requested materials, forms, and information are included. Each Proposer is responsible for ensuring the materials are submitted properly. During scoring and evaluation (prior to interviews, if any), SPR will rely upon the submitted materials and shall not accept any

unsolicited materials from the Proposer(s) after the RFP deadline. A Proposer(s)' failure to provide complete responses which conform to the requirements of this RFP may result in the rejection of the Proposal; however, SPR reserves the right to seek clarifications as needed, and to waive immaterial variations or defects in proposals as SPR or the Superintendent determines to be in the best interest of SPR.

MARKING AND DISCLOSING MATERIAL

Under Washington State Law (RCW Chapter 42.56, the *Public Records Act*) all written materials prepared, owned, used, or retained by SPR relating to a governmental or proprietary program are ***public records***. These records include, but are not limited to: proposal submittals, agreement documents, financial documents, contract work product, or other written materials.

Washington's Public Records Act requires that public records must be promptly disclosed by SPR upon request unless a judge rules that the RCW referenced above or another Washington State statute exempts records from disclosure. Exemptions are narrow and explicit and are in Washington State Law (Reference RCW 42.56 and RCW 19.108).

It is the responsibility of the Proposer(s) to be familiar with the Washington State Public Records Act and the limits of record disclosure exemptions.

If you believe any records you are submitting to SPR, as part of your proposal, are exempt from disclosure you can request that SPR not release the records until SPR notifies you about the status of the identified disclosure(s). To make such a request, you must include it with your proposal, identify each record, and explain why the exemption(s) may apply.

SPR will not withhold materials from disclosure because you mark them with a document header or footer, page stamp, or a generic statement that a document is non-disclosable, exempt, confidential, proprietary, or protected. Do not identify an entire page as exempt unless each sentence is within the exemption scope; instead, identify paragraphs or sentences that meet the specific exemption criteria you cite in the Questionnaire. Only the specific records or portions of records properly listed on the Proposer(s) Questionnaire may be withheld pending notice. All other records will be considered fully disclosable upon request.

If SPR receives a public disclosure request for any records you have properly listed on the Questionnaire, SPR will notify you in writing of the request. While it is not a legal obligation, as a courtesy SPR will postpone disclosure for ten (10) business days, providing sufficient time for you to pursue a protective order and ruling from a judge (reference RCW 42.56.540). If you fail to obtain a court order within the ten (10) business days, SPR will release the documents.

By submitting a proposal, the Proposer(s) acknowledge(s) the obligation to identify any records within the questionnaire responses which a Proposer(s) is requesting notice prior to disclosure. SPR has no obligation or liability if any of Proposer(s)' materials, whether marked as exempt or otherwise, are publicly disclosed in response to a public disclosure request.

4. ADDITIONAL RFP INFORMATION

Open Houses and Site Building Tours
SPR shall conduct open houses and site building tours at the time, date, and location indicated on page 3. Proposer(s) are highly encouraged to attend but it is not required to be eligible to submit a Proposal. During the conference and tour, Proposer(s) may ask questions about the RFP and clarify issues, as well as raise any concerns they have. Failure to raise concerns over any issues during the conference and tour will be a consideration if a protest is filed regarding items known or identified during the conference. Questions and issues raised during the conference and tour will be transcribed by SPR into written format and provided to all Proposer(s) via the RFP website listed in this document.

Questions
Proposer(s) may submit written questions to the Tenant Development Coordinator until the deadline stated on page 3. All questions must be submitted through e-mail to: building47@seattle.gov. Failure to request clarification of any inadequacy, omission, or conflict will not relieve the Proposer(s) of responsibilities in any subsequent agreement. It is the responsibility of the interested Proposer(s) to ensure they receive responses to questions. Answers to all written questions received by the deadline (refer to RFP schedule on page 3) will be posted by the date indicated on the website listed in this RFP.

Changes to the RFP By Addenda
SPR may make changes to the RFP through written Addenda. Addenda will be posted by SPR to the Building 47 RFP web site listed in this document and shall become part of this RFP.

Receiving Addenda and/or Questions and Answers
It is the obligation and responsibility of the Proposer(s) to obtain addenda, responses, or notices issued by SPR. Third-party services independently post SPR solicitations on their websites. SPR does not guarantee that such services have accurately provided all the information published by SPR, and Proposers are encouraged to check the Building 47 RFP web site regularly.

All submittals sent to SPR will be considered to have been made in response to the RFP, including all addenda, with or without specific confirmation from the Proposer that the addendum was received and incorporated. SPR may reject the submittal if it does not fully respond to a matter incorporated by an addendum.

Readability
Proposer(s) are advised that the City's ability to evaluate proposals depends on the Proposer's submittal document including organization, level of detail, comprehensive material, and readability.

Changes or Corrections to Proposal Submittal
Prior to the submittal closing date and time, Proposer(s) may change their proposal, if initialed and dated by the Proposer(s). No changes are allowed after the closing date and time specified on the RFP schedule.

Errors in Proposals
Proposer(s) are responsible for errors and omissions in their proposals. No such error or omission shall diminish the Proposer's obligations to the City under any resulting agreement.

Incurred Costs
All costs incurred in the preparation and submission of a proposal are the responsibility of the Proposer(s).

No Conflict of Interest
Proposer(s) (including officers, directors, trustees, partners, board members, or employees) must not have a business interest or a close family or domestic relationship with any City official, officer or employee who was, is, or will be involved in the selection, negotiation, drafting, signing, administration or evaluation of submitted proposals or Proposer(s) performance. SPR shall make sole determination regarding compliance.

SPR Rights Reserved
SPR reserves the right to reject all proposals and to re-advertise if desired. Any proposal which is incomplete, conditional, obscure, or which contains additions or deletions not called for, or includes irregularities of any kind, may be rejected. Protests regarding the City's decision of a respondent's qualification status shall be handled as outlined in the Protest Procedure section below.

SPR has the right to select portions of Proposals for further negotiation.

Protest Procedure
Completed proposals are due by the date specified on the RFP schedule. The Superintendent's selection of a successful Proposal is anticipated to occur by September 15th, 2019, and SPR will provide each Proposer with written notice of the selection. Any Proposer wishing to protest or challenge the Superintendent's determination must do so within seven (7) calendar days of the notification of selection announcement. The basis for a protest shall be limited to claims of material deviation from the RFP or claims of bias.

All protests must be in writing and signed by the protesting party or its authorized agent(s). Such protest must state all facts and arguments on which the protesting party is relying on for its protest. Copies of all protests should be mailed or delivered to the Superintendent within seven (7) days of notification of the selection. A Proposer's failure to submit a timely notice of appeal constitutes Proposer(s) waiver of all rights to challenge the evaluation and selection.

The Superintendent will review the RFP evaluation panel recommendations and the arguments posed in the protest. The Superintendent will render a written decision within thirty (30) business days after the receipt of the protest, unless additional time is required, in which case, the protesting party will be notified of the delay by the Superintendent's Office. **The decision of the Superintendent will be final.**

Agreement Negotiation and Approval Process
A Development and Operating agreement will be negotiated between SPR and the awarded Proposer(s) and is subject to City Council approval.

Property Development Expectations and Prevailing Wages
SPR expects the property to be developed at the Proposer(s)' sole cost and expense from the building's current condition to fully operational as described in the proposal within a mutually agreeable time frame. The Proposer and its contractor(s) will be required to pay prevailing wages in accordance with Washington's Prevailing Wage Statute, RCW 39.12. The Proposer must address all aspects of funding, design, permitting, construction and staging for operation within the time frame. The proposal should clearly show the Proposer(s) schedule for making the facilities fully operational for the proposed range of arts, recreation or environmental stewardship programs or other SPR amenities.

5. APPENDICES

Appendix A: Building 47 Background

SPR provides this background information to assist Proposers; SPR has made reasonable efforts to provide accurate information. However, SPR does not warrant that the information is complete, accurate or sufficient for any purpose and each Proposer is responsible for performing its own investigations and due diligence.

No site-specific landscape features for Building 47 are identified in the Historic Protection Reuse and Protection Plan (HPRPP), however the west wall of the building contributes to defining an edge of an axis which runs north-south on 62nd Avenue NE. Also, along both sides of 62nd Avenue NE a line of Deodar Cedar trees is to be maintained.

Please be aware that there are restrictions on all exterior and directional signage within the park, and aesthetic considerations that apply to the exterior of the building. Proposals should clearly set forth the exterior signage package as part of the proposal. The Proposer(s) will maintain any signs that it installs to the satisfaction of SPR.

The Proposer(s) will provide routine and preventative maintenance for all interior building components.

Building 47 Theatre is located within the Sand Point Historic District (District), Naval Air Station Seattle National Register of Historic Places District, and the Sand Point Naval Air Station Landmarks Preservation District and has certain restrictions regarding the nature of renovations that are allowed. Proposers should describe how the proposed use(s) and building renovations will address historic preservation issues in the proposal. Due to the historic status of buildings within the District, it may be possible for the Proposer(s) to utilize historic tax credits for renovations.

Appendix B: List of Figures

Figure 1: Building 47 Site Plan
Figure 2: Building 47 Main Floor Plan
Figure 3: Landmarks Preservation District
Figure 4: Sand Point Overlay District
Figure 5: Exterior Photos of Building 47 Theatre
Figure 6: Interior Photos of Building 47 Theatre
Figure 7: Exterior Photos of Building 47 Pool
Figure 8: Interior Photos of Building 47 Pool

Additional building drawings are available on the RFP web site. Building 47 is located at 7110 62nd Ave. NE within Warren G. Magnuson Park in Northeast Seattle.

Figure 1: Building 47 Site Plan

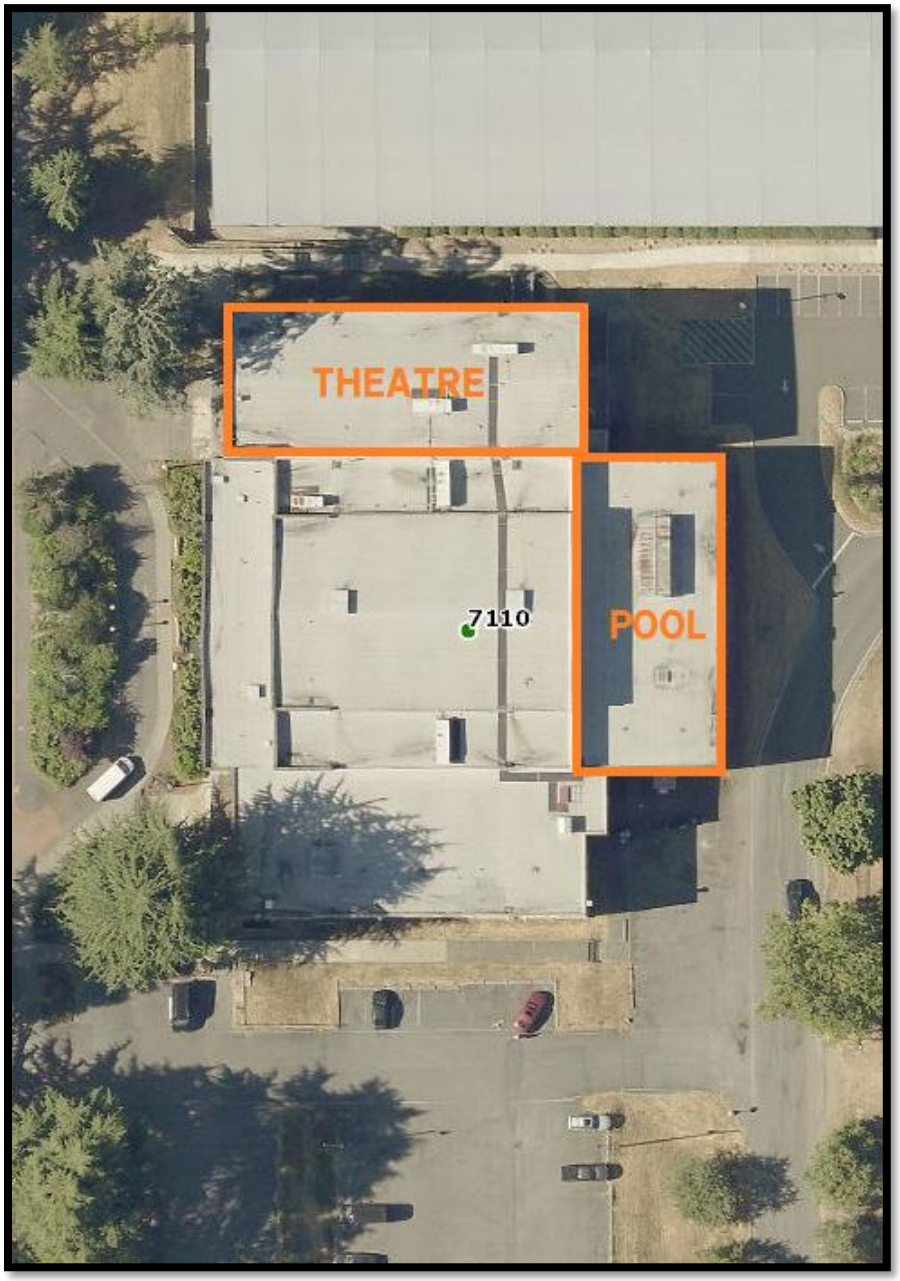

Figure 2: Building 47 Main Floor Plan

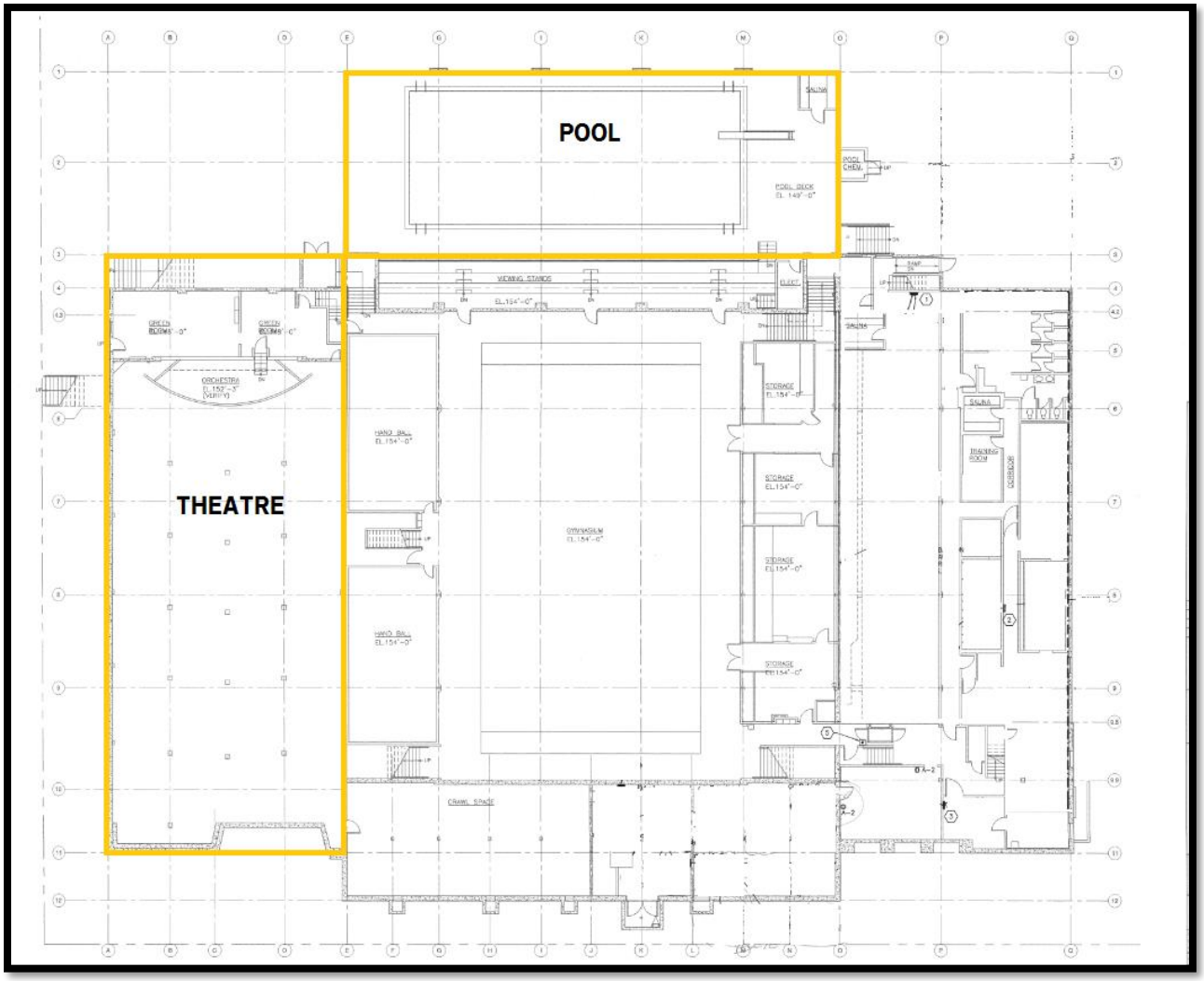

Figure 3: Landmarks Preservation District

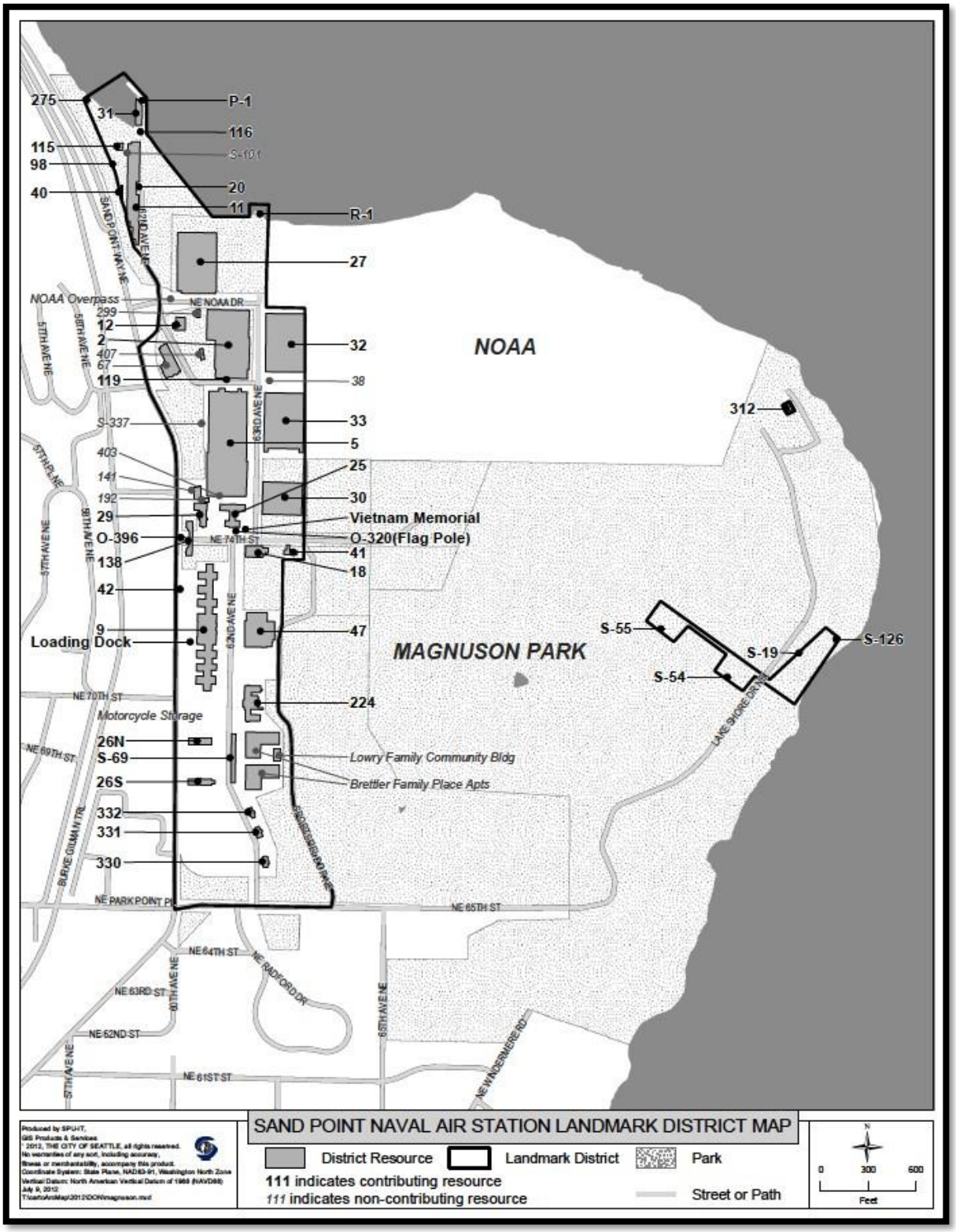

Figure 4: Sand Point Overlay District

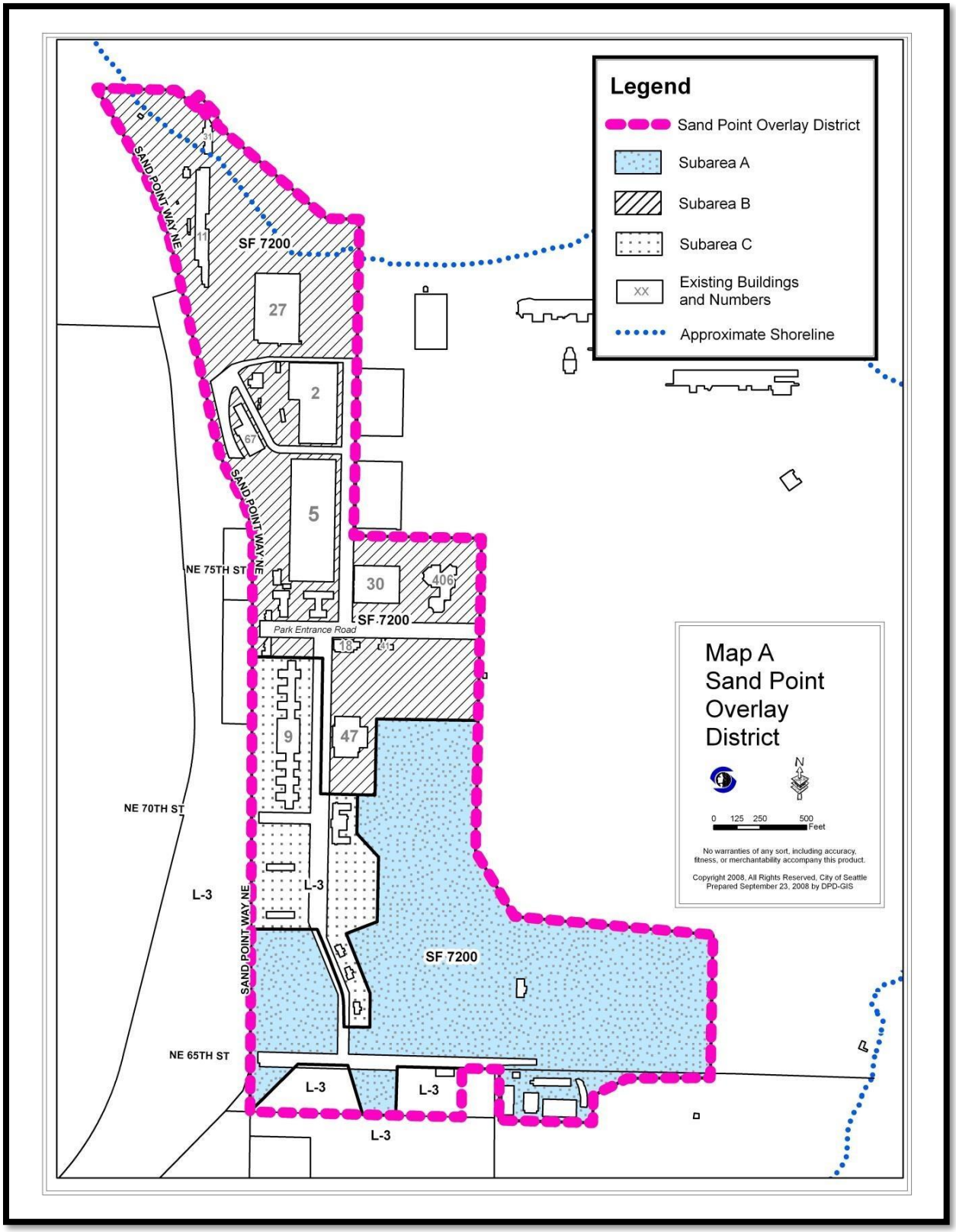

Figure 5: Exterior Photos of Building 47 Theatre

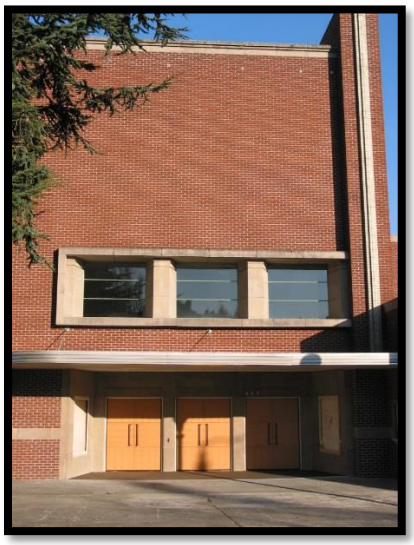

Figure 6: Interior Photos of Building 47 Theatre

Figure 7: Exterior Photos of Building 47 Pool

Figure 8: Interior Photos of Building 47 Pool

APPENDIX C: LIST OF POTENTIALLY RELEVANT DOCUMENTS

The following is a list of documents related to Magnuson Park that may be of interest to Proposers. These are not intended to be a comprehensive list and the listed documents may have been amended or superseded by other documents. Please consult with a lawyer to answer any questions you may have about legal requirements or restrictions on the use of Building 47 that may apply to your planned use.

All documents below can be located at: http://www.seattle.gov/parks/about-us/do-business-with-us/current-opportunities/magnuson-park-building-47-rfp

Land Use & Master Plans

- Community Preferred Reuse Plan for Sand Point. City of Seattle Planning Department (November 1993).
- Sand Point Physical Development Management Plan (1997 - Resolution 29429)
- Final Design Guidelines Manual for Sand Point / Magnuson Park (1997 - Resolution 29624)
- Report to the Mayor and City Council - Sand Point Blue Ribbon Committee (1999)
- Magnuson Park Concept Plan (1999 - Resolution 30063)
- Signage & Wayfinding Master Plan for Warren G. Magnuson Park (2004)
- Warren G. Magnuson Park Strategic Development Plan. Seattle Parks & Recreation (September 2012).

Historic Preservation

Sand Point Historic Properties Reuse and Protection Plan (1998 - Resolution 29725)
Naval Air Station (NAS) Seattle Historic District (2010 - NRHP)
Sand Point Naval Air Station (NAS) Landmarks Preservation District (2011 - LPB)
U.S. Department of the Interior, Section 106 Guidelines
https://www.nps.gov/history/tribes/Documents/106.pdf
Design Guidelines - Sand Point Naval Air Station Landmark District. Seattle Landmarks Preservation Board (2013).
Controls and Incentives - Sand Point Naval Air Station Landmark District. Seattle Landmarks Preservation Board (2013)

Deed Covenant

Recreation Use Covenant (1995, 2005)

Hazardous Materials

- Asbestos Survey at Naval Station Puget Sound, Seattle, Washington. Building 47 Recreation Building (July 1993). Alpha Engineering Group, Inc.
- Lead Inspection Data, NAVSTA Puget Sound, Seattle, Washington (Undated, likely early 1990s)
- Environmental Baseline Survey, Naval Station Puget Sound (NAVSTA PS), Seattle. Seattle, Washington (January 16, 1996). URS Consultants, Science Applications International Corp., Shannon & Wilson, Inc.

- Lead Paint Test, Building 47 Pool, Analytical Resources, Incorporated (November 14, 2016)
- Lead Paint Test Results Summary, Eco Compliance Corporation (November 14, 2016)
- Metals Analysis; NVL Batch #3000339.00, NVL Labs (January 12, 2010)
- Lead in Air by Flame AAS (NIOSH 7082) Test Report, EMSL Analytical (November 29, 2016)
- Magnuson Park Community Center Pool/Storage area Air Monitoring Results, Eco Environmental Services (November 30, 2016)

APPENDIX D: LIST OF ABBREVIATIONS

ADA – Americans with Disabilities Act
CGL – Commercial General Liability
C of O – Certificate of Occupancy
HPRPP – Historic Properties Reuse and Protection Plan for Sand Point
IOPE – Inclusive Outreach and Public Engagement
MB - Megabytes
MPAC – Magnuson Park Advisory Committee
NAS – Naval Air Station
NAVSTA – Naval Station
NPS – National Park Service
PBC – Public Benefit Conveyance
RFP – Request for Proposal
RCW – Revised Code of Washington
RSJI – Race and Social Justice Initiative
SCL – Seattle City Light
SMC – Seattle Municipal Code
SPR – Seattle Parks & Recreation
WA DAHP – Washington State Department of Archaeology and Historic Preservation
WMBE – Women, Minority Business Enterprises

APPENDIX E: DEFINITIONS OF TERMS

PROPERTY – Means Building 47 Theatre and decommissioned pool area at Warren G. Magnuson Park (Magnuson Park), also referred to as Building 47. See Figures 1 through 8 for depictions.

RFP – Means this Request for Proposal for Redeveloping Facilities and Operating Public Programming in Building 47 at Warren G. Magnuson Park.

CITY - Means the City of Seattle, a municipal corporation, its various departments, officers, officials, and employees.

SPR – Means the City of Seattle Department of Parks & Recreation.

SUPERINTENDENT – Means the Superintendent of SPR.

PARK – Means Warren G. Magnuson Park (Magnuson Park).

PUBLIC BENEFIT – The positive benefits available to the public resulting from a facility, project, program, or other use. This includes free and reduced priced activities, existing facilities that are made accessible to the public, new facilities, and programs that are created for public use. Please see Appendix I.

PROPOSAL – Means a written response to this RFP.

PROPOSER – Means individuals, groups or entity(ies) submitting information for the RFP.

SUCCESSFUL PROPOSER - Means the group, individuals or entity(ies) selected through this process to develop and operate programs in the Building 47 Theatre.

DEVELOPER – The term "Proposer(s)" shall be interchangeable with Developer. The person(s), firm(s) or organization(s) selected by the RFP process to develop and operate the proposed facility.

APPENDIX F: POTENTIAL LEASE AGREEMENT TERMS

The City reserves the right to negotiate with top ranked Proposer(s) on minor changes in the scope of the project or the specifications of the RFP or other requirements. This is to assure that the facilities and any payment agreements are in the best interest of the City and the public.

The following topics are typically included in agreements and leases at Magnuson Park:

Equal Benefits

Seattle Municipal Code (SMC 20.45) requires consideration of whether Proposer(s) provide(s) health care and other benefits that are the same or equivalent to the domestic partners of employees as to spouses of employees, and of their dependents and family members.

Women and Minority Subcontracting

The Mayor's Executive Order and City Ordinance requires the maximum practicable opportunity for successful participation of minority and women-owned subcontracts. This ordinance will be one of the considerations involved during agreement negotiations.

Insurance Requirements

The successful Proposer(s) will be required to maintain insurance at its costs. The insurance must meet the requirements of the City's risk management department, which may depend on the nature of the use and activities. It is anticipated that the successful Proposer(s) will be required to secure Commercial General Liability Insurance (CLI) coverages with minimum general liability limits of $5,000,000 per occurrence, which may be satisfied with primary Commercial General Liability (CGL) insurance limits or any combination of primary and excess/umbrella limits. The City must be named as an additional insured on all liability policies and Proposer's insurance shall be primary irrespective of any insurance coverage maintained by the City. Additional insurance requirements may include but are not limited to: Automobile Liability insurance at least as broad as ISO CA 00 01 with a minimum limit of $1,000,000; Workers' Compensation insurance; Property insurance for full replacement cost of premises, building contents and alterations, additions and improvements during construction (Builder's Risk) and throughout the agreement term; Pollution Legal Liability; and Professional Liability. Additional terms and conditions will apply.

APPENDIX G: WARREN G. MAGNUSON PARK PLANNING PRIORITIES

Excerpt from the Magnuson Park Strategic Development Plan (2012):

In 2011-2012 Seattle Parks & Recreation developed the Magnuson Park Strategic Development Plan. Recognizing that many projects from previous plans were realized, the goal was to plan for the park's future by reconfirming the vision of the park as a multi-use, urban regional park, with historic value, prioritizing needed unfunded capital improvements, and identifying desired programming, activities and amenities for the park. A citizen's Working Group developed a vision statement for the park and a set of key values to help guide decision making.

Vision:

The park is conceived as an active urban regional park providing a balanced variety of user activities, active as well as passive, organized as well as unstructured. The Park will integrate several uses-park and recreation, the arts, environmental protection and restoration, education and residential – which will work together to create a unique historic park in our region.

Strategic Development Plan Key Values

Key Value	*Description*
1. High levels of Public Access	*More public access is better – the park is to be used for public benefit, providing access to the shoreline and other activity areas to diverse park users.*
2. Sustainability	*Long term sustainability of the park is critical – look for revenue generating opportunities; maintain current partners and look for new creative partnerships; leverage private investment; develop clear understanding of expectations and responsibilities to ensure the greatest benefit possible to the park and the public.*
3. Responsible stewardship of physical assets	*Maintain the property in a safe, clean, welcoming manner – ensure the park is safe for motorists, pedestrians and bicyclists; preserve the historic character; be attentive to environmental stewardship.*
4. Integration of physical assets	*Develop a cohesive design for the park – create common design themes throughout the park and connect activity areas in a way that each flow into another.*
5. Develop support and ties with regional community	*Develop a regional service approach – find ways to build trust and support from the regional community and implement programs*

	and services that attract diverse park users from around the region.
6. Programming responsive to the community	*<u>More service to the community is better</u> – develop programs and services that are flexible and meet the changing needs of the community.*
7. Be a good neighbor	*<u>Be sensitive to the interests and needs of neighbors</u> – maintain awareness and sensitivity to the potential impacts of activities in the park to the surrounding neighborhood and residents and programs on the site.*
8. Achieve city-wide values and goals for use	*<u>Implement the vision of the park consistent with city goals and policies</u> – park development must follow city and state laws and regulations, as well as, federal requirements.*

APPENDIX H: Master Plans, Zoning and Land Use

Several successive master plans have been developed for Magnuson Park since the 1970s. The table below highlights where plans have identified potential uses and/or activities for Building 47. All documents can be accessed at the SPR website: http://www.seattle.gov/parks/about-us/do-business-with-us/current-opportunities/magnuson-park-building-47-rfp

Table 4 – Master Plans & Building 47 Proposed Uses

Year	Plan	Activity Area	Building 47 Proposed Use
2012	Magnuson Park Strategic Development Plan	Implementation Plan – To Do List for 2012 and Beyond	Continue to explore renovation options. Update cost of mothballing building.
1999	Magnuson Park Concept Plan (Res. 30063)		Arts Center
1997	Sand Point Physical Development Management Plan (Res. 29429)		Arts, Cultural Uses
1994	A Vision of Magnuson Park – Sand Point Liaison Committee *(citizen generated, not adopted by the city)*		Arts Center
1993	Community Preferred Reuse Plan for Sand Point (Res. 28832)	Education and Community Activities Area	Art Exhibition and Administration
1988	Magnuson Park Master Plan	None	None, did not include Building 47
1983	NAS Seattle Homeport Study	Administrative Core	Fire Station
1975	Sand Point Park Plan	NAS Seattle	None, did not include Building 47

***The plans listed above define specific land uses for open space areas in Magnuson Park. Please refer to these guidelines if your proposal includes use of the Park beyond Building 47.**

APPENDIX I: LAND USE, ZONING & HISTORIC PRESERVATION

Sand Point Overlay District (1997, 2008 - SF 7200, L-3)

Base land use zoning for Magnuson Park (SF 7200) and the historic campus (SF 7200, L-3) are for residential uses (see Figure 9). Relative to the Park, residential zoning is the norm throughout the SPR system. The Sand Point Overlay District was adopted by the City Council in 1997 and established other principal uses beyond single family and multifamily residential. It also established development standards which govern the height of structures, and where new structures may be constructed. Amendments were approved in 2008 to remove some uses and add others, allow limited new uses, and establish building heights for specific structures such as a tennis center. The goal of the Overlay District is *"....to implement the Sand Point amendments to the Comprehensive Plan by regulating land use and development within the Sand Point Overlay District in order to integrate the property into the City of Seattle as a multi-purpose regional center that provides:*

a. *Expanded opportunity for recreation, education, arts, cultural and community activities;*
b. *Increased public access to the shoreline and enhanced open space and natural areas;*
c. *Opportunities for affordable housing and community and social services with a special priority for addressing the needs of homeless families;*
d. *Expanded opportunity for low-impact economic development uses which could provide employment and services for residents of the property and for the broader community."*

The Overlay District also requires that *"….any area not occupied by structures in existence as of July 47, 1997, paved parking areas in existence as of July 47, 1997, or rights-of-way in existence as of July 47, 1997, is limited to open space, dry boat storage or recreation uses."* In effect, no new permanent, separated structures may be constructed within the Overlay District.

Note that while many land uses are listed as permitted in the Overlay District, an NPS deed covenant only allows "Parks & Recreation uses" within SPR-owned buildings. Also, note that the previous information is provided as an overview of the Seattle Land Use Code**. It is recommended that Proposer(s) thoroughly review code sections relative to their proposal.**

Historic Preservation

Three overlapping historic districts cover the former naval station campus, which include Building 47. Review of alterations to character defining features is guided by the *Sand Point Historic Properties Reuse and Protection Plan* (1998, WA DAHP). This plan also established the basis for the Sand Point Historic District (WA DAHP 1998). The two other districts which apply to the campus are: NAS Seattle National Register of Historic Places District (2010), and the Sand Point NAS Landmark Preservation District (2011, see Figure 7). Note that, due to being located within a National Register of Historic Places District, Proposer(s) may apply for and utilize federal historic preservation tax credits.

Deed Covenants

The deeds for properties within the historic district, including Building 47, include three (3) deed covenants as follows:

1. Recreation Use Covenant (1999)
   This covers only properties conveyed by NPS to SPR and requires that properties "*…shall be used and maintained for public park and recreation purposes in perpetuity*".

2. Historic Resource Covenant (1999)
   This covers properties conveyed to SPR and the University of Washington. Approval is required by NPS or its designee, WA DAHP, for *"…any construction, alteration, remodeling, demolition, disturbance of the ground surface, irrevocable disturbance of landscape settings, or other action that would materially affect the integrity, appearance, or historic value of structure or settings…"*

3. Lead Based Paints and Asbestos Covenants (1999)
   This covenant identifies that properties within the district were found to contain lead-based paints and asbestos and asbestos containing materials. The Navy completed asbestos and lead surveys on all buildings within the district prior to conveying properties to SPR. Experience on previous redevelopment projects has shown that additional, up-to-date surveys are highly recommended.

Site Circulation & Parking

The main entrance to the historic district is via NE 74th Street at the former gatehouse (Building 138). A second entrance is located ½ mile to the south via NE 65th Street. Entry at NE 74th Street is on a driveway with a vertical drop of approximately three (3) feet between Sand Point Way NE and the gatehouse. Note that the vertical clearance at the gatehouse varies between 13 and 14 feet and the main truck route is via NE 65th Street.

On-street parking on 62nd Avenue NE is available on a first come-first served basis. Approximately 93 parking spaces are located on the south side of the Magnuson Community Center and are shared with other recreation uses such as the adjacent athletic fields. A 300-plus space parking lot is located approximately a two-minute walk to the east of the Theatre.

Other Contractual Limitations and Restrictions

Due to a non-compete clause contained in the City's 2009 Concession Agreement with Arena Sports, SPR may not permit the operation of a health studio that exceeds 5,000-square feet or a self-service health studio of any size within Magnuson Park without first obtaining Arena Sports' written approval.

APPENDIX J: PUBLIC BENEFITS DESCRIPTION

Public Benefits
Public benefits are measurable efforts to serve underrepresented groups and achieve geographic equity consistent with the City of Seattle's Race and Social Justice Initiative (RSJI). Public Benefits may be eligible for an offset against rent (the "Public Benefit Offset").

Priority access to these benefits should be provided to community members with limited access to services. Please refer to the City's Race and Social Justice Initiative for more information: www.seattle.gov/rsji

The following categories are generally considered a Public Benefit. Any other type of program or service must be approved in advance by the Superintendent.

An adequate proposal should include some combination of the following Public Benefits.

1. **Public Access** – Programs, classes, workshops, exhibits, shows, rentals, other events and activities offered to the general public free of charge at leased space. # of people served, # of events, and estimated value of such events, classes, etc. offered on annual basis should be described.

2. **Scholarships** – Scholarships for low-income individuals and underserved populations. # of scholarships, estimated value of such scholarships provided on annual basis, should be described.

3. **Programs** – Provision of classes, workshops, shows and camps to youth, seniors, families or other underserved populations, at leased facility, at local schools, or in partnership with other organizations. # of programs offered, # of students served, and estimated value of such classes, workshops, camps, etc. should be described.

4. **Community Outreach Events** – Provision of programs, classes, etc. for the general public at community celebrations or other locations throughout City on an annual basis. # of events, and estimated value of such activities should be described.

5. **Volunteer Service Events** – Provision of volunteer events for the benefit of students and the general public. # of hours, # of people, # of events, including estimated value of volunteer hours should be described.

6. **Capital Improvements** – Includes improvements made without charge to City that are beyond the required maintenance and repair activities. Description of types of improvements and proposed value should be described.

7. **Specific services provided to the City** – Provision of services of value to the City, free of charge. Types, # of services, # people to be served, and estimated value of such services to be provided should be described.

THIS IS THE END OF THE RFP PACKAGE.