



**Administered by University of Maine System (UMS)  
Office of Strategic Procurement  
Request for Proposals (RFP)**

**University of Southern Maine (USM)  
Public-Private Partnership for  
Portland Campus Student Housing & Student Center  
RFP #2020-011**

Issue Date: August 7, 2019

Response Deadline Date/Time: September 13, 2019 by 11:59PM EST

**IMPORTANT**

Proposals will **ONLY** be considered from firms selected via Request for Qualifications (RFQ) 2019-075

**Response Submission Information:**

Submit electronically to [UMSresponses@maine.edu](mailto:UMSresponses@maine.edu)

Email Subject Line: USM Student Housing and Student Center P3 Development -  
RFP#2020-011

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## 1. Introduction and General Information

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### 1.1 Introduction and Overview of RFP

The University of Maine System (“UMS” or the “System”) and the University of Southern Maine (“USM” or the “University”) are issuing this Request for Proposals (“RFP”) to Developers who have been selected to advance to the proposal phase of the selection process (“Shortlist”) in connection with the System’s interest to develop new student housing and a new student center (the “Project”) on USM’s Portland campus. Further description of the program requirements for the Project is provided herein. The System is seeking a Developer to deliver the Project in a manner that is consistent with the System’s objectives, which were initially described within the Request for Qualification (“RFQ #2019-075”) and which are expanded upon within this RFP.

For the purposes of this RFP, information contained within the RFQ will still apply unless otherwise noted. It is imperative that Developers are familiar with the language provided in Sections 1 and 2 of the RFQ, including:

- University of Maine System Background
- Student Enrollment and Existing Housing Conditions
- Future of the Portland Campus
- Student Housing and Student Center Strategic Project Outcomes

## 2. Program Overview

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The student housing and student center facilities will be co-located on the sites depicted in the USM Facilities Master Plan and section 5.1 of this document. Additional details about the Master Plan can be found at the following [link](https://usm.maine.edu/president/master-plan) (https://usm.maine.edu/president/master-plan). Additionally, conceptual programs for student housing and student center are provided in Appendices C-1 and C-2. Developers shall complete the Project as directed and approved by the University. For all components of the Project, the University reserves the right to adjust the scope of the Project at its discretion.

### 2.1 Student Housing Program Overview & Requirements

The residential component of the Project is anticipated to include approximately 550 beds to be designed, built, and potentially financed and/or operated by the Developer.

As emphasized in the RFQ, USM is committed to providing affordable living options for its students, and affordability is a key driver for this Project and the selection of a preferred Developer. To achieve its affordability objectives, the University and its development advisor, Brailsford & Dunlavy, have developed preliminary development budgets and financial models to project the performance of the Project. This effort was critical in informing internal decision-making regarding how best to balance the Project’s scope and square footage with affordability. The results of this preliminary analysis will remain confidential and will be utilized as a benchmark comparison tool for the Developer’s RFP submissions.

It is important to disclose that this effort led to detailed discussions among USM leadership regarding rental rate targets and the range of physical solutions that may be best suited to concurrently allow the Project to achieve financial success and meet affordability objectives. The results of the market analysis and student survey anticipate that the unit-type distribution may be the following:

- 40% single-occupancy bedrooms with en-suite bathrooms
- 60% primarily single-occupancy apartment-style bedrooms (4-bed, 2-bed, and studio apartments)

To achieve affordability objectives and accommodate maximum demand for student housing on the Portland campus, the rental rates for all unit configurations should align with the outcome of the student survey and demand analysis. The rental rates tested in the survey are as follows:

- Single bedrooms with en-suite bathrooms: \$800 per month per occupant (Fall 2018 Dollars)
- Apartment-style single and double-occupancy bedrooms (4-bed, 2-bed, studio): \$900 - \$1,200 per month per occupant (Fall 2018 Dollars)

Given Portland's recent construction trends and market realities, the University recognizes that compromise may be required on the square footage of and common spaces within the units in order to achieve these targeted rental rates. Ultimately, the University is willing to consider a range of physical solutions and seeks recommendations from Developers that best respond to the criteria established herein.

## 2.2 Student Center Program Overview & Requirements

To support USM's objectives with respect to advancing student development and strengthening community for both residential and commuter students, the University is seeking to develop a new student center on its Portland campus. This process will require direct coordination between the Developer and the University. The Developer is expected to build according to USM's specifications for all the components of the student center facility. The student center is anticipated to comprise approximately 55,000 to 60,000 gross square feet and will include dining, a bookstore/school store, career services, student affairs offices, and a radio station. Additional detail is outlined below.

### i. Dining

The selected Developer will be expected to coordinate with USM and the current USM Dining provider. USM anticipates the main dining component of the student center to seat approximately 200 people and include a café/pub. The dining spaces will meet all requirements of the Maine Division of Environmental and Community Health (<https://www.maine.gov/dhhs/mecdc/environmental-health/>) for operating "A" graded food service facilities, including dedicated electrical service, plumbing capacity for domestic water and sewer, floor drains, exhaust infrastructure for future hood systems, and an exterior grease trap. The University will be responsible for approving all design, interior fit out, furnishings, and equipment. Sufficient and appropriately designed loading dock areas must be provided separate from public entrances to the space to receive shipments and remove garbage.

### ii. Bookstore/School Store

The Student Center should include a bookstore/school store as well as associated staff offices and inventory storage.

### iii. Multi-purpose Event Room

The Student Center should include a divisible multi-purpose event room with an anticipated capacity of 200 people.

### iv. Student Lounges

The Student Center should include a variety of student lounge spaces, including "see-and-be-seen" lounges, collaboration lounges, quiet/study lounges, a meditation room, and lactation/parenting room.

### v. Career Center/Career & Employment Hub

The Student Center must include a Career Center/Career & Employment Hub. The center will be centrally-located with a triage circular welcome desk, resource materials, staff offices (for 8 to 10 people), employer lounge/meeting space, and interview/conference rooms preferably contained on a floor by itself.

### vi. Student Affairs

The Student Center should include a student affairs suite comprised of offices for student affairs, student activities, student engagement, veteran's services, intercultural engagement, and international students.

**vii. Radio Station**

The Student Center should include a radio station comprised of recording rooms, offices, a storage room, a conference room, and a reception area.

### 3. Financial Objectives

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USM's priority is to ensure that the Project provides a safe and high-quality environment that supports the overall well-being of its diverse student community while being cost-effective for the University and affordable for its students. Additional information regarding USM's strategic objectives and guiding principles can be found in the RFQ.

The University will collaborate with the selected Developer to explore a range of approaches to the project delivery, operations, and maintenance plans. The plans should concurrently achieve the most advantageous design, build, financing, operations, and maintenance outcomes for the University, consistent with public institution accounting standards set out by the Governmental Accounting Standards Board. As possible, shared operating responsibilities (i.e., utilities, landscaping, cable, etc.) may be considered between current University service providers and the Developer if efficiencies or cost savings are achievable.

#### Student Housing Funding

The University is interested in considering a wide range of financing and ownership options for the student housing component of the Project in order to determine the best value. The range of options may include:

- Full Project financing by the Developer;
- Full Project financing by a 501(C)(3) owner;
- Full Project financing by the University, primarily through revenue bonding; and
- A combination of partial Project financing by the Developer and partial Project financing by the University.

USM desires to minimize any negative impact to the University of Maine System's credit rating in the selection of a financing solution for the student housing component of the Project. In evaluating financial options, USM will also consider the impacts that various financing structures will have on its balance sheet, debt ratios, and budget.

#### Student Center Funding

USM will fund the Student Center component using state bond funds and fundraising.

### 4. Design Objectives

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It is imperative that Developers review the desired program and design components in detail. Any deviations from the provided materials should be described by Developers in their Proposals. Any impact to the development budget assumed in the response (due to deviation in the design/program materials) should also be described.

The student housing and student center are anticipated to be two separate buildings with a weather enclosed connection. The Developer is required to provide heating and cooling of facilities inclusive of all necessary mechanical, electrical, plumbing and fire protection spaces.

Furniture, fixtures and equipment ("FF&E") for the student housing component is to be designed and funded by the Developer. FF&E for the student center will be designed by the Developer and funded by the University.

#### 4.1 Project's General Design Requirements

Each building will contain the following key components to be provided by the Developer:

- All public spaces must be fully ADA accessible. All other spaces must be accessible in accordance with local codes.
- Wireless Internet will be available throughout with adequate load for multiple devices in accordance with University's IT department.
  - Data drops and co-axial cable drops are expected to be provided in all shared/public spaces.
- Cameras shall be positioned at all building entrance points. Additional cameras are required at elevators, service desks, and main circulation spaces. All cameras, as well as access control points and other security infrastructure, should be accessible (recordable/able to be copied) to USM's Police Department.
- All elevators must be sized to fit at minimum a medical stretcher and personnel in the case of an emergency.
  - 24-hour/7-day emergency elevator response service is required.
  - A freight elevator for moving large items, including trash, furniture, and other equipment should be provided in each building.
- Electronic access control with card readers should be provided on all exterior doors. The main entrance door shall be equipped with automatic door operators for ADA accessibility.
  - Card access will be installed by UMS's contractor vendor. All card access infrastructure requirements need to be coordinated with UMS card services. IT/Communications design requirements are available in Appendix B of the AIA A102. (<http://staticweb.maine.edu/wp-content/uploads/2018/11/AppB-27-00-00-Comm101514.pdf?0fa197>)
  - The cost for reimbursement of these services should be estimated and included in the Developer's budget.
- Key system requirements
  - The Project's key system must fall into USM's main key system. The system is patented and cannot be duplicated by another campus.
  - USM uses a Schlage Everest 29 system. While hardware may be provided by third-party vendors, all keys and cores must be provided by the University.
- Interior and exterior lighting that is consistent with University's design criteria is required; external lighting should include a minimum of two foot-candles across the site and five foot-candles near exterior entrances.
- Access to flat roofs from the interior to allow for repairs and cleaning is required.
- Every office should have one Tiny Trash desktop bin (Provided by the University) and one small desk side recycling container (blue color; 5-15 gallon size).
- Adequate design for emergency vehicle access and security access per code is required.
- Adequate design vehicular access points to ease flow of residential move-in and move-out processes is required.
- Clear signage on building exteriors, as well as wayfinding throughout the building(s) and surrounding grounds is required.
- Water bottle filling stations on each floor are required.

## 4.2 Student Housing Component Design Requirements

### i. Common Spaces

- Limited common/co-curriculum spaces within the building should minimize non-revenue-generating square footage.
- A secure lobby with a small yet inviting lounge area should create a sense of arrival and building identity.
- A residence life office suite on the ground floor should comprise staff offices and work area, a conference room, and storage.
- All common spaces should include general unisex bathrooms on the entry level for parents and guests.

- Flooring should consist of carpet squares in hallways, hard/resilient flooring in common areas, and ceramic tile in wet areas and entrances.
- The building must provide one automated external defibrillator (“AED”) machine.
- Entry into the residential areas of the building shall be secure and require card access, which will be designed in accordance with USM’s requirements.
- Package mailboxes will be provided. USPS letter delivery will be coordinated with USM.
- Elevators will be configured to support heavy residential use, provide ease of maintenance, and not hinder move-in or move-out peaks usage times. Secured access is required between the building lobby and the elevators, which will require card readers and cameras for security. Building usage is reserved only for residents.
- If residential units are provided on the first floor (to be determined through the design), a lockable entryway will separate the common area from the residential area.
- Fully furnished common areas consisting of institutional quality furniture within the building(s) will be designed in collaboration with the University.

#### ii. Residential Floors

- USM desires to create limited, yet intentional, space(s) where residents can interact outside of their units. In order to remain consistent with the affordability objectives of the Project, the University will rely on the Developer to be creative in its proposal in regards to these spaces.
- ADA accessible units should be made available on each floor in accordance with local codes.
- Corridor waste/recycling receptacles should be included on each residential floor of the Project to meet the sustainability objectives set by the University.
  - The corridor waste stations should consist of one or two 32-gallon barrels for each of the following items: trash, recycling, bottles, and liquids.
  - Waste items must be collected on a daily basis and brought to a central receiving location with a loading dock or ramp (one per building) for pick up by University staff or a mutually-agreed-upon hauler.
  - Stations must be kept clean and have signage consistent with other USM buildings.
- Walls should be designed to attenuate sound between living areas and non-residential areas.

#### iii. Residential Units

- The Project will include units which are single bedrooms with en-suite bathrooms. Each floor with single bedrooms with en-suite bathroom units should have one community kitchen and one common laundry room.
- The Project will include studio, two- and four-bedroom apartment units within the Project.
  - Each unit will have a small living/common space and each bedroom will have one closet.
  - Every studio or two-bedroom unit will be provided with one bathroom.
  - Every four-bedroom unit will be provided with two bathrooms.
  - Apartment-style units will have a kitchen.
    - Each kitchen will have one full-size refrigerator, one microwave, dishwasher, a stovetop with range hood, adequate counter space and cabinets, and sink/garbage disposal.
      - For safety, kitchens must include the following features:
        - Appliances to be equipped with automatic shut off systems
        - Fire extinguishers
        - GFI outlets
        - Smoke and heat detectors
- All residential units will be furnished with the following:
  - One bed per single bedroom; or two beds per double bedrooms (full-size bed)



- One desk per bed
- One chair per desk
- Two data drops per bed
- One set of four drawers per bed
- One closet or wardrobe per bed (compliant with fire sprinkler requirements)
- Soft seating for living/common space and kitchenette, including chairs/couch, dining table/counter and chairs/stools
- One small (5-10 gallon) trash bin (black) and one small recycle bin (blue) with clear signage and labels. Design of signage and labels will be provided by USM in order to be congruent with the rest of campus.
- All residential units will have:
  - Windows and lighting. Each window will include window shades that allow daylight.
  - Room numbering according to USM's design criteria (provided in Appendix F).
  - In-unit laundry for each apartment unit and floor laundry for each single room with en-suite bathroom.
  - Lockable bedroom and bathroom doors.
  - Peepholes provided at entry doors.
  - Individual temperature controls.
- All bathrooms will have:
  - One toilet, one shower, and one sink.
  - A sink vanity with mirror, lighting, and electrical outlets.
  - Exhaust to the exterior per local building code requirements at a volume respective to the static pressure of ductwork.

#### 4.3 Student Center Component Design Requirements

- It is important that the facility be inviting, dynamic, and easy to navigate for campus constituents of all interests, ages, and backgrounds.
- A sense of openness should be conveyed through the use of glass, generous ceiling heights, and natural light, as appropriate.
- The use of contextual building materials is important for its ability to create an identity cohesive with the overall campus architecture. Architectural innovations should reflect state-of-the-art spaces.
- Within the building, the design of the food service areas, lounge spaces, and other spaces should create unique destinations for the entire campus population. These spaces, while serving a daily need, should create a comfortable place for the congregation and interaction of the campus community.
- The proposed student center is expected to function during late night hours and weekends; therefore, the building should be zoned to accommodate open active areas at all hours and specialized activities under controlled access.
- Connections to the student housing component should be identified in the design.
- One or two loading docks should be designed with appropriate circulation area and access to the campus and city streets.
- Adjacency to neighboring buildings and pedestrian access should be identified.

#### 4.4 Site and Exterior Design Requirements

##### i. Site Orientation

The Developer will be responsible for ensuring that the Project design integrates into USM's Portland campus and is consistent with USM's Facilities Master Plan. Following the RFP process, the University will work with the Developer to determine building orientation and desired access points consistent with the existing City of Portland's streetscape and safety/security objectives.

**ii. Campus Green**

All site work identified as site area, including the student housing quad as identified in the USM's Facilities Master Plan, should be included in the scope of work and development budget.

**iii. Parking**

There will be no parking as part of this Project with the exception of convenience parking for accessibility and zoning ordinance requirements. The Project should have adequate loading areas, emergency parking, and any necessary accessible parking. The Developer should assume USM will provide parking for residents.

**iv. Exterior Design Requirements**

The exterior elements of the Project must include the following key components:

- The exterior of the buildings should relate to the existing campus context and compliment the scale and material of surrounding buildings by code.
- The card access secured doors should have an alarm and camera feed for monitoring of entry, exit, and propped doors.
- Wireless Internet shall be provided throughout all exterior plazas, walkways, and public areas in the Project.
- Exterior signage shall be reviewed and approved by the University during the design process.
- Trash, recycling, and food waste consolidation area should be located behind or on the side of the building, accessible for service vehicles to load material for disposal.
- Grounds should be designed to minimize storm water run-off using best practices of MS-4 compliant communities.

#### **4.5 Construction and Architectural Guidelines**

Developers must submit proposals that comply with USM's design guidelines. It will be the continuing responsibility of the Developer to fully comply with these requirements through the design, construction, maintenance, and operation of the Project.

- The Project is expected to be designed and constructed in accordance with all building codes and standards. It is essential that the information contained in this RFP is reviewed in detail and considered as part of the Developers' Proposals. The ultimate goal of the Project, in order of desired importance, is a building(s) that is affordable and sustainable. Proposals may suggest alternatives to the aforementioned design guidelines and standards, provided they better align with USM's Project goals as detailed above. The Developer's construction and design submission should endeavor to align with the sustainability objectives listed in Section 4.7. Any deviations from the provided design guideline materials should be noted, along with how the deviations impact the Developer's assumed development budget, design, or program in the response.
- Ultimate review and approval by the University of the Project's design, and any proposed deviations, will be required through all phases of the design and construction process.

#### **4.6 Code and Planning Requirements**

The architect/engineer that will be submitted as a part of the Developer team shall ensure that all relevant documents comply with all applicable codes, regulations, and orders in effect at the time of permitting. The architect/engineer shall submit a list of codes to which the Project is subject as part of the Developer Proposals.

The City of Portland Department of Permitting & Inspections is responsible for licensing building and trade contractors and inspecting properties and processing various permit applications. The University will be responsible

for securing planning and zoning approvals and proper zoning with the support of the Developer. Furthermore, the Developer is responsible for working directly with the City of Portland Department of Permitting & Inspections to obtain a building permit, including health and other permits. The University will leverage existing relationships to provide support to the Developer during the permitting process. Further details regarding the permitting and zoning process are provided in the following link:

<https://www.portlandmaine.gov/1728/Permitting-Inspections>

#### **4.7 Sustainability Objectives**

USM is interested in incorporating sustainability initiatives into all current and future projects, particularly those that save energy, decrease operating costs from utilities, and mitigate carbon emissions. To this end, the University is most interested in designing the project to PassivHaus or comparable standards, with a minimum LEED silver certification focused on the Energy & Atmosphere credit. The University strives to build all new buildings to be 70% more efficient than the national average for comparable buildings. However, in response to this RFP, the University understands the need to balance the sustainability initiatives and affordability objectives of the Project.

#### **4.8 Information Technology Requirements**

IT will be provided by a UMS contractor vendor. The Developer should follow UMS IT guidelines regarding IT infrastructure, and design of IT infrastructure and connectivity should be done in coordination with UMS IT. The Developer should propose IT networking and connectivity solutions which meet or exceed UMS technology standards for students. The UMS IT network standards document will be provided as Addendum L. The cost for reimbursement for these services should be estimated and included in the Developer's budget.

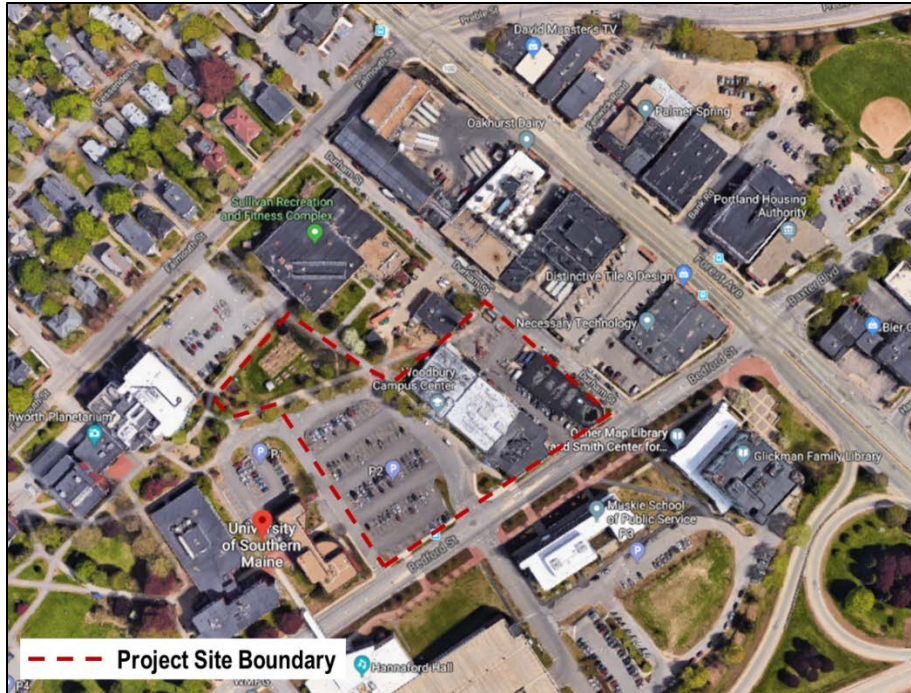
For Internet and cable/cable streaming service, the Developer may elect to engage in a community-wide delivery strategy instead of each resident entering into individual contracts. This is to be determined at the discretion of the Developer and should be commensurate with a high-quality residential experience that students may be able to pursue elsewhere in the Portland market.

## **5. Site Conditions**

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### **5.1 Project Location**

The Project site (as seen in the aerial photo below) is bounded by Durham Street to the east and Bedford Street to the south. The site is owned by USM.



## 5.2 Existing Structures

Three structures currently exist on the Project site. USM will be responsible for relocating existing occupants, and the existing structures will be turned over clean and hazmat-free. The Developer will be responsible for demolition at commencement of the Project. The Developer will need to incorporate these costs in their development budget.

## 5.3 Utilities

The Developer will be responsible for delivering the capacity for all utilities required to adequately service the Project. Below is a summary of some of the utilities that are expected for the Project.

### i. Electrical

The Developer will be responsible for coordinating electric utility delivery with USM and Central Maine Power.

### ii. Storm and Domestic Water

The Developer will be responsible for any improvements and updates to the storm and domestic sewer in the Project site in coordination with the City of Portland.

### iii. Sewer

The Developer will be responsible for delivering sanitary sewer services in the Project site along with any necessary upgrades to the Project area in compliance with the City of Portland.

### iv. Natural Gas/District Energy

All costs to deliver natural gas to the site will be the responsibility of the Developer. The local provider for this service is Unifil.

### v. Telecommunications/Data

The Developer will be responsible for providing a dedicated pathway per USM's standards. Network Maine is the current provider for the Project site. Developers will be responsible for coordinating with the provider.

## 6. Maintenance & Operations

The University would like to evaluate an option in which the Developer may enter into an agreement with an operator to provide facility maintenance and custodial services for this Project. In this case, the Developer may undertake all maintenance responsibilities, either directly or by contracting with a third party. All preventive and major maintenance responsibilities will be performed at a level consistent with USM standards.

For the student housing component of the Project, USM is looking to evaluate the most efficient delivery of administrative responsibilities (billing, marketing, leasing), custodial, facility maintenance, and capital reinvestment analysis/oversight. To ensure that the residents are receiving a high-quality experience commensurate with USM's vision and brand, the University may work with a 3rd-party operator to complete quality control activities to occur throughout the Ground Lease/operating agreement duration. Long-term asset management / capital reinvestment will also need to be coordinated with the University to ensure the health of the Project throughout the Ground Lease term. Specific terms and conditions will be further negotiated as part of establishing a Ground Lease/operating agreement.

For the purpose of this RFP, USM has identified the maintenance and operational needs for the Project, described below.

### i. Custodial/Service Contracts, Landscaping, and Facility Maintenance

USM considers custodial and maintenance staff to be important partners in creating an outstanding experience for students. The Developer (or selected operator) may be responsible for custodial and general maintenance services within the Project. For the purpose of responding to this RFP, Developers should assume covering the costs associated with these Project components. USM will be responsible for landscaping and all associated costs. Subject to a future operating agreement, the Developer (or selected operator) and the University may conduct joint facility inspections to ensure high-quality services are being provided to residents.

### ii. Asset Management

Responsibility for asset management services (i.e. long-term capital planning and implementation) within the Project may vary according to the ownership of the improvements. However, for the purposes of the submission, assume the Developer will handle this responsibility. The University and Developer will mutually agree to a procedure for carrying out both scheduled and unscheduled inspections of the facilities.

### iii. Leasing, Unit Assignments and Billing/Collections (Student Housing)

USM may partner with the Developer under a shared services arrangement wherein USM provides administrative functions, such as billings, assignments, revenue collection, etc. For the RFP response, Developers (or selected operator) should assume reimbursing all costs associated with delivering these services in their budget.

For the purpose of leasing, USM is assuming twelve-month leases and will work with the Developer, through the execution of operating agreements, to determine how rent will be collected and other critical responsibilities. During negotiations, the frequency of payments, collection of payments, and the pursuit of bad debt will need to be discussed.

### iv. Marketing (Student Housing)

The University will assume the responsibility for the marketing of the residential components contained within the Project. For the purpose of the proposal response, the Developer should not assume covering any direct costs associated with delivering marketing services.

v. **Carbon Reporting**

All utility bills in their entirety (including electricity production or consumption, heat production or consumption & water consumption) need to be provided to the Sustainability Staff within Facilities Management once per year for carbon accounting purposes. The data must be provided no later than September 1st following the end of the fiscal year covering the data (a fiscal year ending on June 30th).

The management company must be willing to answer questions regarding the bills in a timely fashion, so that the total consumption of units of energy or water, units of fuel, and/or dollar value can be understood by the University for sustainability analysis and reporting needs.

Units of energy, water, or fuel consumed or produced must be allowed to be published in public reports by the University, so that the University may inform the community about sustainability progress and remain in compliance with local or national sustainability reporting requirements (mandatory or voluntary).

## 7. Key Terms and Future Agreements

The University has developed the following preliminary list of key terms for review and consideration.

**Advisory Committee.** There will be an Advisory Committee, jointly comprised of the University, Developer, and operator personnel, who will convene to discuss and approve the annual budget, operating approach, and many other oversight functions in order to support the success of the Project.

**Assignment and Transfer.** There will be no right to assign or transfer the Ground Lease without the written consent of the University.

**Buy-out by University.** The Ground Lease will contain provisions providing the University with a right, at its sole option, to buy out the remainder of the Ground Lease term. This buy-out provision will be negotiated with the Developer.

**Delivery of Premises at the End of Term.** At the conclusion of the term of the Ground Lease, any improvements located on the site will remain and shall be delivered to the University fully operational and in good condition as determined jointly by the University and the Developer. It is expected that the useful life of the asset will meet or exceed 125% of the term of the Ground Lease. Upon reversion of the asset back to the University, USM will have the right to require that the Project be demolished at the sole expense of the Developer.

**Eligible Residents.** Occupants of the Project will solely be USM campus community constituents, including summer camps and conferences. Primary occupants are intended to be upper-division (third- and fourth-year students), graduate and law students.

**Insurance.** At this time, the Developer should assume it will be responsible for providing insurance for both pre- and post-occupancy. The minimum insurance requirements will be provided to Developers at a later date. UMS follows FM Global guidelines for all construction.

**Repair, Replacement, and Renovation.** The University is looking to account for costs for all maintenance, routine replacement of fixtures and equipment, and all life-cycle maintenance and repairs required for the Project. To provide



assurance for the costs of these items, the Developer will be required to fund a replacement and repair reserve to be placed in escrow at an amount and in accordance with a budget that is approved annually by the Advisory Committee.

**Rental Rates/Caps.** The Advisory Committee will have an active role in approving rental rate inflation in future years to ensure the Project is maintaining affordability objectives.

## 8. Submittal Requirements

The following constitutes the University's submittal requirements for the RFP responses. The RFP response must follow the order provided below to facilitate the University's evaluation process. Responses should include tabs correlating to each of the following criteria numbers below and should be submitted in a manner consistent with this RFP. It is critical that responses are provided in a consistent format to ensure accuracy in the University's review process. The requested organization and format of the submission is provided below:

### Submission Organization

- Table of Contents
- Tab 1: Signed Cover Page
- Tab 2: Project Team Background and Information (Additional Team Members)
- Tab 3: Project Program Assumptions
- Tab 4: Sustainability
- Tab 5: Graphic Documents and Renderings
- Tab 6: Project Budget
- Tab 7: Implementation Schedule
- Tab 8: Proposed Ownership (or P3 Partnership)/Financing Structures
- Tab 9: Operations and Maintenance
- Tab 10: Project Pro Forma
- Tab 11: Current/Future Project Disclosure
- Tab 12: Signed Signature Form: Debarment, Performance and Non-Collusion Certification
- Tab 13: Signed Addenda

A description of each Tab is included below in further detail.

### Tab 1 – Signed Cover Page

The Developer should sign the document that is provided in Appendix A and include the signed page in Tab 1. Failure to provide this certification may result in the disqualification of the Developer's proposal, at the University's discretion.

### Tab 2 – Project Team Background and Information (Additional Team Members)

Description of Project Team Members: To the extent that any previously identified teammates in the RFQ submission have changed, please include those changes and provide a brief description of the Developer's partner entities for the Project, including each partner's relevant experience. To the extent that any additional team members have been identified since the RFQ, please provide information regarding their role, the overall organizational structure for this Project, and key personnel that will participate. These individuals may include:

- Civil, structural, and MEP engineers;
- Any law firms who will provide legal services for the Developer;

- Entities that will provide building systems maintenance and asset management services if not performed by the Developer; and,
- Any partners or other entities who will provide funding, like kind, or other services to the Developer and who will gain any ownership or beneficial interest in or revenue from the project.

For each of these entities, provide the following information:

- Name(s)
- Primary address
- Chief executive/managing partners
- Year founded
- Experience with student housing, multi-family housing, mixed-use development, and any other applicable asset types

The entities identified will be considered to participate with the Developer as Project team members. Any additions to or changes to the Project team members in connection with a proposal are subject to review and approval by the University. If a Developer does not name other entities, then that Developer's proposal will be evaluated assuming that the Developer will self-perform all functions. Any later decision to include other entities in any of these roles will also require review and approval of these entities prior to their use by the Developer.

### Tab 3 – Project Program Assumptions

Developers are required to fill out the assumptions page provided in Appendix D-3 that correspond with the submitted pro forma and graphics for the student housing component. If there are assumptions provided by the University that do not align with the Developer's approach, please revise the spreadsheet, as necessary.

### Tab 4 – Sustainability

Please describe the development team's experience in delivering projects that have a sustainability focus, particularly around energy conservation and associated reductions in anticipated utility bills. Please address all of the following topics in the description, not just LEED credentials:

- Experience in designing to PassivHaus or comparable high efficiency standards
- Experience in designing to LEED silver standards or above
- Experience in utilizing cost-effective design and materials strategies for achieving reduced energy loads
- Experience delivering general building standards outlined by the University of Maine system at the following link, including life cycle analysis of the cost of building maintenance and utilities, water conservation mandates, and building code compliance: <http://staticweb.maine.edu/wp-content/uploads/2018/11/AppA-UMSDesignCriteriaRevisedNov-2018.pdf?0d0f03>

### Tab 5 – Graphic Documents and Renderings

Developers shall illustrate their preliminary design concepts for all aspects of the Project and the site in a graphic manner as part of the RFP response.

The maximum drawings required by the RFP for the Student Housing component shall be:

- A schematic site plan for the student housing component indicating proposed street-level functions and the relationship between program components, including connectivity to student center and main campus;



- A sample residential floor plan for the first floor and a typical upper floor inclusive of square footages listed on the plans;
- Typical unit plans/square footages for each configuration;
- An exterior rendering; and,
- Conceptual primary elevations illustrating the major components of the Project.

The maximum drawings required by the RFP for the Student Center component shall be:

- A schematic site plan for the Student Center component indicating proposed street-level functions and the relationship between program components, including connectivity to student housing and main campus;
- A sample floor plan for the first floor and a typical upper floor inclusive of square footages listed on the plans;
- An exterior rendering; and,
- Conceptual primary elevations illustrating the major components of the Project.

Developers shall clarify their preliminary design concepts with narratives as part of the RFP response. Narratives may also identify specifications offered by the Developers that are beyond the design guidelines described herein. The minimum narratives required by the RFP shall be:

- A narrative describing broad architectural concepts that govern the proposal for the site layout and building design for all Project components. The narrative should also describe details of the design that may not be readily apparent from drawings and may include comments on material and finish quality.
- A narrative describing the connectivity between the student center and student housing components.
- A narrative describing the structural methodology that the Developer would employ for the Project.
- A narrative describing the mechanical systems (HVAC, plumbing) and the electrical system that the Developer would employ for the Project.
- A narrative describing approach to campus connectivity in alignment with USM's Facilities Master Plan.

Please note the following for your design preparation:

- Drawings shall be 11" x 17"
- No animated fly-through will be expected as part of the RFP response.

#### **Tab 6 – Project Budget**

Developers are requested to fill out Appendices D-1 and D-2, with details regarding the development budget for both elements of the Project (student housing and student center). Please provide any supporting narrative that will be helpful for the purposes of USM's review.

To the extent that revisions to appendices D-1 and D-2, would enhance clarity during USM's review, please feel free to revise and provide a narrative supporting why additional line items or re-organization is most helpful.

#### **Tab 7 – Implementation Schedule**

Developers should discuss how their team will advance the Project's requirements and add distinctive value to the University. Specifically, please address the following:

- Steps the Developer would take to ensure timely completion of the Project. Within the description, please provide an explanation for how the Developer would keep the Project on schedule during the period following selection of the Developer and during negotiation with the University.
- Include a schedule for the design and construction and financial close of the Project

- The schedule should demonstrate the Developer's ability to ensure that the Project is move-in ready no later than July 1, 2022 in order to support a fall 2022 delivery.
- Identify any anticipated risks in meeting the targeted schedule and address how the Developer will accommodate site constraints in its construction logistics strategy.
- In the event of a force majeure event or another delay of the completion of the Project beyond the completion dates, please describe how the Developer would mitigate impacts to the University, including a detailed alternative housing plan for students.

#### Tab 8 – Proposed Ownership (or P3 Partnership)/Financing Structures

The University is interested in receiving all Ownership (or P3 Partnership) structure proposals that Developers believe may be the best solution for this Project. The Developer shall submit a detailed description of the deal structure(s) proposed for the Project.

The University will rigorously evaluate and compare the full range of options proposed by Developers, including financial considerations (i.e., transaction costs, debt and equity costs, fees, etc.) and non-financial considerations (i.e., balance sheet, credit and budget implications) from each respondent, ensuring current Governmental Accounting Standards are taken into consideration in determining any potential balance sheet treatment. When evaluating and comparing all proposed options, the University will focus on the customized financial structure that best benefits the Project and the University. University's preference for the state funded proportion of the Project (the student center) is CM at risk.

For CM at risk, the following links to contract templates should be used. Note that the links below include the following: Article 00 72 00, Article 00 73 00.03, AIA A101 Exhibit A, and AIA A133-2009 (00 52 13.13) (should be used as the form of the contract).

- UMS Design Contracts (<http://www.maine.edu/about-the-system/system-office/facilities-management-and-general-services/capital-construction-and-project-management/capital-construction-design-documents/>)
- UMS Construction Contracts (<http://www.maine.edu/about-the-system/system-office/facilities-management-and-general-services/capital-construction-and-project-management/5511-2/>)

Developers must clearly identify the source of funding for all deal structures proposed in response to this RFP. Specifically, address funding sources for the following:

- Senior Debt
- Subordinate Debt (if applicable)
- Equity (if applicable)
- Other (if applicable)

Any proposed project debt should be modeled at 30-year amortization. In the description of the funding sources, contracting Developers should clearly and explicitly confirm that they have the authority to negotiate on behalf of their funding sources.

If 501(C)(3) is one of the proposed structures, the Developer should identify a 501(C)(3) owner who is not affiliated with the University as part of their proposed deal structure.

#### Tab 9 – Operations and Maintenance

The Developer shall submit a detailed description of its approach to Project maintenance, operations, and asset management, noting USM wants to provide a high-quality student experience. Developers should provide a budget including all up-front and annual costs and fees associated with the required operations and maintenance efforts in accordance with the USM Custodial Procedure provided in Appendix G.

### Tab 10 – Project Pro Forma

Developers must provide detailed pro formas for each of the proposed financing structures for the University's review. Pro formas must include the following information:

#### Student Housing Pro Forma

- Project Pro Forma for Full Term of Ground Lease
- All revenue and expenses, including a detailed breakdown of operating and maintenance expenses and net operating income
  - It is critical that operating expenses are commensurate with the service and quality as described within this RFP. Please review and advise if your typical operating expenses deviate from the level described in this RFP.
- Management fees and identification of how this is calculated
- Annual cash flow after debt and/or equity obligations and distribution of cash flow between Developer and USM
- Assume a 30-year term for any project debt
- Disclosure of growth/inflation assumptions
- Ground Lease term
- Design and construction costs, financing and scheduling assumptions and all other identifiable project costs
- Property taxes, if applicable
- Replacement and/or improvements reserves
- Proposed room-type mix and anticipated rental rates (based on a 12-month lease term)
- Additional revenue beyond rental revenue during the 12-month lease term
- If any form of equity is utilized, please provide calculations regarding required return
- Disclose cost of capital assumption for Project funding – a full term of Ground Lease
- Project Compensation to Developer
  - Percentage of excess cash flow
  - Cumulative cash flow through the life of the Ground Lease
  - Present value of cash flow
- Project Compensation to University
  - Ground Lease base rent
  - Percentage of excess cash flow and notification of discount rate assumption
  - Cumulative cash flow through the life of the Ground Lease
  - Present value of cash flow and notation of discount rate assumption

In order to maintain affordability objectives, USM anticipates that Developers will use a standardized approach to rent prices. Each unit type will have one (1) base price determined by the configuration. The Developer should not have varying rental rates for end units, floor preference, timing of lease execution, etc. It is to be negotiated with the Developer whether shorter term (less than 12 months) or longer term (longer than 12 months) leases may be offered to residents and the impact that these durations may have on rental rates. It is anticipated, however, that most leases will align with the 12-month schedule and minimum exceptions may be acceptable.

#### Student Center Expenses

- All expenses, including a detailed breakdown operating and maintenance expenses

- It is critical that operating expenses are commensurate with the service and quality as described within this RFP. Please review and advise if your typical operating expenses deviate from the level described in this RFP.
  - Management fees and identification of how this is calculated
  - Disclosure of growth/inflation assumptions
  - Design and construction costs, and scheduling assumptions and all other identifiable project costs
  - Property taxes, if applicable
  - Replacement and/or improvements reserves

#### **Tab 11 – Current/Future Project Disclosure**

If applicable, the Developer should disclose any information regarding potential conflicting developmental opportunities/properties in the Portland area. Beyond the Developer, USM is interested in understanding if any other partner (i.e., equity source, underwriter, operator, etc.) would have a potential conflict of interest due to their participation in other nearby commercial properties.

With any relationships between the Developer/Developer Team and existing/future properties in the Portland market, please describe if there may be a perceived conflict of interest, its relevance to this Project, and how it may be mitigated if selected.

#### **Tab 12 – Signed Signature Form: Debarment, Performance and Non-Collusion Certification**

The Developer should sign the document that is provided in Appendix B and include the signed page in Tab 12. Failure to provide this certification may result in the disqualification of the Developer's proposal, at the University's discretion.

#### **Tab 13 – Signed Addenda**

If an addendum/addenda are issued as part of this RFP, please sign the document(s) where requested and include these signature pages in Tab 13.

## **9. Evaluation Factors/Criteria**

### **9.1 Overview of the RFP Process**

The purpose of this RFP is to provide the University with detailed, consistent proposals in order to facilitate a fair evaluation of each proposal by the University. USM's evaluation of each proposal will be based upon the information provided in the responses to this RFP, additional information requested by the University, information obtained from independent sources, and formal presentations if requested. The University will select the Developer that best meets the University's strategic, programmatic, and financial objectives, as determined solely by the University. The University makes no representations of any kind that an award will be made as a result of this RFP.

### **9.2 RFP Schedule**

| RFP Projected Schedule                          | Date               |
|-------------------------------------------------|--------------------|
| RFP Document Issued to Short-Listed Developers  | August 07, 2019    |
| Due Date for Questions from Developers          | August 20, 2019    |
| Addendum Responses to Questions Published       | August 26, 2019    |
| Additional Addenda Offered                      | TBD                |
| RFP Proposals Due (by 5:00 pm EDT)              | September 13, 2019 |
| Developer Interviews                            | TBD                |
| Preferred Developer Selected/Begin Negotiations | TBD                |

### 9.3 Interview with Developers

The University will review proposals and conduct oral interviews of all Developers that submit a proposal to further clarify their proposals and respond to questions from the University.

### 9.4 Inquiries

Any questions concerning this RFP should be directed in writing to Rudy Gabrielson at [UMSresponses@Maine.edu](mailto:UMSresponses@Maine.edu). Developers should not contact any officials of USM, except through the channels described in this RFP. Developers are advised that unauthorized contacts with officials, related parties, or advisors of USM may result in elimination of a Developer from this RFP process.

### 9.5 Addenda

Any addenda or instructions issued by the University during the RFP response period shall become a part of this RFP. Such addenda shall be acknowledged in the Developer's proposal. No instructions or changes shall be binding unless documented by a proper and duly issued addendum. The University is under no obligation to contact proposers for clarification but reserves the right to do so.

The University will issue a written addendum answering questions presented by Developers. The University may issue additional written addenda prior to the RFP submission date, supplementing, modifying or interpreting any portion of this RFP. No verbal or written information from any source other than the Procurement Officer is authorized as representing the University.

It is solely the Developer's responsibility to check the University's official procurement website throughout this solicitation process to verify that the Developers have received any addenda that may have been issued. That information can be found at <http://www.maine.edu/strategic-procurement/upcoming-bids/>.

### 9.6 Evaluation Factors for RFP

The evaluation score will be based on a 100 point scale and will measure the degree to which each response meets the following criteria:

| RFP Criteria and Scoring                                                                                                      |                                                                                                                          |                  |
|-------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|------------------|
| Criteria Category                                                                                                             | Category Elements                                                                                                        | Scoring (Points) |
| Satisfaction of the Project's programmatic goals and design requirements and USM's master planning goals as stated in the RFP | Consistency with design and programmatic goals of the Project as described in the RFP                                    | 40               |
|                                                                                                                               | Consistency with USM's Facilities Master Plan                                                                            |                  |
|                                                                                                                               | Achievement of USM's sustainability goals and requirements                                                               |                  |
|                                                                                                                               | Achievement of RFP requirements and USM goals related to the Project schedule                                            |                  |
|                                                                                                                               | Overall proposal quality                                                                                                 |                  |
| Viability of the proposed financial structures                                                                                | Clarity and strength of the deal structures including their related impacts and opportunities as well as reversion terms | 20               |

|                                                                                              |                                                                                                         |            |
|----------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|------------|
|                                                                                              | Financial strength of the Developer team                                                                |            |
| Value to USM*                                                                                | Value demonstrated by room rates and revenue to the University related to the Student Housing           | 20         |
|                                                                                              | Value demonstrated by construction costs, soft costs, and Developer's fee related to the Student Center |            |
| Demonstration of comparable experience and qualifications in delivering the proposed Project | Experience and qualifications of the Developer team specifically relevant to proposed Project           | 20         |
|                                                                                              | Experience in developing a comprehensive operation and maintenance plan                                 |            |
|                                                                                              | Proper licensure of the entire Developer team                                                           |            |
| <b>Total Points</b>                                                                          |                                                                                                         | <b>100</b> |

\*The points awarded in the Value to the University category will be calculated on the basis of a formula.

#### Value to the University: Student Housing

Room Rates (7.5 points awarded to the Developer with the lowest room rates, other Developers awarded points on a prorated basis)

Revenue to University (2.5 points awarded to the Developer with the highest Revenue to the University, other Developers awarded points on a prorated basis)

#### Value to the University: Student Center

Project Cost (10 points awarded to the Developer with the lowest combined construction costs, soft costs, and Developer fees; other Developers awarded points on a prorated basis)

|                                      | Possible Points | Weighting | Total Points |
|--------------------------------------|-----------------|-----------|--------------|
| <b>Lowest Average Room Rate</b>      | 5               | 1.5       | 7.5          |
| <b>Highest Revenue to University</b> | 5               | 0.5       | 2.5          |
| <b>Lowest Project Cost</b>           | 5               | 2         | 10           |
|                                      |                 |           | <b>20</b>    |

Calculation above shows highest possible score of 20 points.

## 9.7 Method of Award

During the evaluation period—from the date submittals are opened through the date the selected Developer is notified—each Developer submitting a proposal (including its representatives and/or sub-contractors) is prohibited from having any non-solicited communications with any person inside USM or any affiliates of the University (i.e., UMS Board of Trustees) if the communication refers to the content of Developer's proposal, and/or the transmittal of any other communication of information that could be reasonably considered to have the effect of directly or indirectly influencing the evaluation of proposals. Developers not in compliance with this provision may be subject to disqualification, unless it is determined, in the University's discretion, that the communication was harmless, that it was made without intent to influence, and that the best interest of the University would not be served by the disqualification. A Developer's submittal may be disqualified if any of its identified teammates engage in any of the foregoing communications during the time that the evaluation period is active (i.e., the issuance date of the procurement to the date the prequalified Developers are notified). Only those discussions, communications or transmittals of information authorized or initiated by USM for this RFP or general inquiries directed to the Purchasing and Strategic Sourcing official regarding requirements of the RFP (prior to proposal submission) are excepted from this provision.

## 9.8 Award Protest

Respondents may appeal the selection decision by submitting a written protest to the University of Maine System's Chief Facilities Management and General Services Officer via eMail at USMresponses@Maine.edu within five (5) business days of the date of the notice. Copies of the protest will be provided to the successful Respondents. The protest must contain a statement of the basis for the challenge. Further information regarding the appeal process can be found at:

[http://staticweb.maine.edu/wp-content/uploads/2015/07/APL\\_VII-A\\_20150630-FINAL.pdf?565a1d](http://staticweb.maine.edu/wp-content/uploads/2015/07/APL_VII-A_20150630-FINAL.pdf?565a1d)

## 9.9 Disclaimer

Any representations or statements made within this RFP shall not be considered a contractual obligation by the University and the Developers shall not be entitled to rely upon them. The University reserves the right to reject any and all submittals and to identify and select the Developer which the University, in its sole and absolute discretion, deems most qualified.

The Developer shall be solely and totally responsible for all costs associated with responding to this RFP, and the University accepts no responsibility with regard thereto. Submissions will become the property of the University.

The University reserves all rights in administering this RFP, including, without limitation, to:

- Reject any or all submittals at any time;
- Terminate evaluation of any or all submittals at any time;
- Suspend, discontinue and/or terminate negotiations with any Developers at any time prior to the actual authorized execution of Developer Agreement;
- Negotiate with a Developer without being bound by any provision in its submittal;
- Accept and review a nonconforming submittal;
- Request or obtain clarifications, revisions or additional information from any source;
- Issue addenda to and/or cancel this RFP;
- Issue a new request for proposals;
- Decline to financially participate in a proposed project;
- Extend any deadline or time and waive or permit the correction of minor deficiencies or irregularities in a submittal and minor or technical violations of this RFP;
- Change the scope and the range of services from what is defined in this RFP at any time; and,
- Select any possible financing and delivery structure.

This RFP does not commit the University to enter into a contract. In no event shall the University be bound by, or liable for, any obligations with respect to a project until such time (if at all) as a Developer Agreement, in form and substance satisfactory to the University, has been executed and properly authorized, and then only to the extent set forth therein.

Under no circumstances shall the University be liable for, or reimburse, the costs incurred by Developers, whether or not selected for negotiations, in developing submittals or in negotiating agreements.

Each responding Developer, by submitting proposals, thereby accepts all risk of adverse public notice, damages, financial loss, criticism or embarrassment that may result from any disclosure or publication of any material or information required or requested by any of the University in connection with the submission of proposal. In submitting proposals, the Respondent expressly waives, on behalf of itself, its partners, joint venture members, officers, employees and agents, any claim against any of the University, and their respective officers and employees, for any damages that may arise therefrom.

Any and all information the University makes available to Developers shall be as a convenience to the Developer and without representation or warranty of any kind.

## **Appendices and Required Forms**

**Appendix A:** Cover Page

**Appendix B:** Signature Form: Debarment, Performance and Non-Collusion Certification

**Appendix C-1:** Student Housing Conceptual Program

**Appendix C-2:** Student Center Conceptual Program

**Appendix D-1:** Submittal Form: Student Housing Project Budget

**Appendix D-2:** Submittal Form: Student Center Project Budget

**Appendix D-3:** Submittal Form: Student Housing Program Assumptions

**Appendix E:** Construction Logistics Map

**Appendix F:** University of Maine System Design Criteria

**Appendix G:** USM Custodial Procedure

**Appendix H:** Utilities Master Plan

**Appendix I:** Site Topography Map

**Appendix J:** Request for Qualifications

**Appendix K:** Market Analysis (to be added as an addendum at a later date)

**Appendix L:** Geo-Tech Report (to be added as an addendum at a later date)

**Appendix M:** UMS IT Standards (to be added as an addendum at a later date)