

**REQUEST FOR PROPOSALS  
RFP #2022-002**

# Fuel Tank Farm Development and Operation

at Roosevelt Roads, Ceiba, Puerto Rico



Issued by the Local Redevelopment Authority for Roosevelt Roads  
June 16th, 2022

Proposal Deadline for Respondents: August 11th, 2022 at 5:00pm

Documents are available at [WWW.ROOSEVELTROADS.PR.GOV](http://WWW.ROOSEVELTROADS.PR.GOV)

**One (1) Original, Seven (7) Copies,  
and One (1) USB of Each Proposal Shall Be Submitted to:**  
Local Redevelopment Authority for Roosevelt Roads  
Comercio y Exportación Building  
#159 Chardón Ave. 3rd Floor  
Hato Rey, PR 00918

# Table of Contents

Acronyms and Abbreviations .....	3
List of Figures .....	3
List of Tables .....	4
List of Exhibits.....	4
1. Invitation to Submit Proposals and Executive Summary .....	6
2. LRA Background .....	8
3. Project Description.....	10
3.1 Description of the Project.....	10
3.2 Project Property .....	13
3.3 Tank Farm Components .....	18
4. Proposal Requirements .....	22
4.1 Page Limitation.....	22
4.2 Language.....	22
4.3 Cover Transmittal Letter .....	22
4.4 Presentation of Qualifications .....	22
4.5 Deadline for Proposals.....	26
5. Selection Criteria and Process.....	27
5.1 Evaluation Factors.....	27
5.2 Oral Presentations .....	28
5.3 Best and Final Offer.....	28
5.4 Respondent Selection Process.....	28
5.5 Respondent Selection Timeline.....	29
6. Miscellaneous Terms and Conditions.....	30

# Acronyms and Abbreviations

API	American Petroleum Institute
bbl.	Oil barrel
BRAC	Base Realignment and Closure
Commonwealth	the Commonwealth of Puerto Rico
DFM	Diesel Fuel Marine
FNSRR	Former Naval Station Roosevelt Roads
ft.	Feet
ft <sup>2</sup>	Square Feet
FTZ	Foreign Trade Zone
gal.	Gallon
IBC	International Building Code
LRA	Local Redevelopment Authority
m	Meter
m <sup>2</sup>	Square Meter
n.m.	Nautical Mile
NFPA	National Fire Protection Association
PR	Puerto Rico
PRASA	PR Aqueduct and Sewer Authority
PREPA	PR Electrical Power Authority
PRIDCO	PR Industrial Development Company
PRPA	PR Ports Authority
RFP	Request For Proposals
SWMU	Solid Waste Management Unit
Tank Farm or Terminal	Roosevelt Roads Tank Farm

## List of Figures

Figure 1 Major global oil routes and choke points .....	11
Figure 2 Puerto Rico and the US Virgin Islands.....	12
Figure 3 Ensenada Honda and Bahia de Puerca, Roosevelt Roads .....	12
Figure 4 Tank Farm Overview .....	13
Figure 5 RFP Parcels .....	13
Figure 6 Tank Farm Parcels and ROWs .....	15
Figure 7 Environmental Remediation in progress .....	16
Figure 8 Pier 1 .....	19
Figure 9 Building 192 and Forrestal Drive.....	19
Figure 10 Building 1982 covered machine room .....	20
Figure 11 Series 2270 tanks .....	20

# List of Tables

Table 1 FNSRR Development and conservation zones .....	9
Table 2 Descriptions of Tank Farm parcels .....	14
Table 3 Roosevelt Roads Tank Farm tanks schedule .....	21
Table 4 Tank Farm suggested pipeline easements .....	21
Table 5 RFP Timeline .....	29
Table 6 RFP Schedule.....	29

# List of Exhibits

(All Exhibits from this RFP are available at [www.rooseveltroads.pr.gov](http://www.rooseveltroads.pr.gov) and Incorporated Herein by Reference)

## Maps

Aerial Map of NSRR (Showing Parcels 1, 2, and 3).....	Exhibit A-1
Map of Zones for NSRR Property .....	Exhibit A-2

<b>Bidder Registration Form</b> .....	Exhibit B
---------------------------------------	-----------

## Legal

Legal Requirements.....	Exhibit C-1
Proposal Certification Form .....	Exhibit C-2
Proposed Consideration Certificate .....	Exhibit C-3
Local Redevelopment Authority Request for Proposal Regulation .....	Exhibit C-4

<b>2014 Development Zones Master Plan</b> .....	Exhibit D
---	-----------

## Environmental

Map of Environmental Restrictions .....	Exhibit E-0
Deed of Ratification Conversion Public Instrument Quitclaim Deed CDR 3(SWMU 74 Port) ....	Exhibit E-1
Deed of Ratification Conversion Public Instrument Quitclaim Deed CDR 5(AOC F1995) .....	Exhibit E-2
Deed of Ratification Conversion Public Instrument Quitclaim Deed CDR 1(SWMU 7/8) .....	Exhibit E-3
Lease in Furtherance of Conveyance between the USA and LRA (LIFO) .....	Exhibit E-4
Port FOST .....	Exhibit E-5
FOSL Parcel III (SWMU 60, 74D, 74 Hill S4) .....	Exhibit E-6

## Drawings and Reports

Station Map CAD dwg .....	Exhibit F-1
Tank Farm Survey.....	Exhibit F-2
Bathymetry Survey 1991 and 2017 .....	Exhibit F-3
Tank Information.....	Exhibit F-4
Tank Condition Report.....	Exhibit F-5

# List of Exhibits (cont.)

## Zoning Master Plans

2014 Special Plan ROTFU (in Spanish).....	Exhibit H-1
Excerpts of Portions of 2014 Special Plan ROTFU (in English).....	Exhibit H-2
2014 Zoning Map ROTFU .....	Exhibit H-3

## 1. Invitation to Submit Proposals and Executive Summary

1.1 Invitation to Submit Proposals. The Local Redevelopment Authority for Naval Station Roosevelt Roads ("LRA"), is issuing this Request for Proposals ("RFP") to obtain proposals (each, a "Proposal") from any highly qualified respondents (each, a "Respondent") that have the expertise and ability to improve and operate the Former Naval Station Roosevelt Roads ("FNSRR") fuel storage facility by means of a Development Agreement. The FNSRR fuel storage terminal (the "Tank Farm" or "Terminal") is composed of a fueling pier, eight storage tanks, a pumping facility, a laboratory building and their containing parcels and easements, as further described herein, at Roosevelt Roads ("NSRR").

The **RFP #2022-002** process will follow the Local Redevelopment Authority Request for Proposal Regulation attached hereto as Exhibit C-4.

1.1.1 Request of Proposal identification number. RFP #2022-002

1.1.2 Request of Proposal Issue Date: June 16, 2022

1.1.3 Scope of Request of Proposal. This RFP seeks a Respondent that has the expertise and ability to improve and operate the Former Naval Station Roosevelt Roads ("FNSRR") fuel storage facility by means of a Development Agreement. The Tank Farm or Terminal is composed of a fueling pier, eight storage tanks, a pumping facility, a laboratory building and their containing parcels and easements, as further described herein.

1.1.4 Proposal Deadline Date, Time and Location. August 11, 2022 @ 5:00pm at the Local Redevelopment Authority for Roosevelt Roads, Comercio y Exportación Building, #159 Chardón Ave. 3<sup>rd</sup> Floor, Hato Rey, PR 00918.

1.1.5 Special Instructions with Date, Time and Location as to where to access the Request for Proposal documents. Documents will be available at our website [www.rooseveltroads.pr.gov](http://www.rooseveltroads.pr.gov) from June 16, 2022 at 5:00pm through August 11, 2022 @ 5:00pm. There will be no cost to download the documents.

1.1.6 Bidder Registration Form. Interested bidders must submit the Bidder Registration Form attached hereto as Exhibit B to the LRA by e-mail at [lradevelopment@lra.pr.gov](mailto:lradevelopment@lra.pr.gov) no later than June 30, 2022 at 5:00pm. No Bidder Registration Form will be accepted after this date and time.

1.1.7 Mandatory Pre-Submittal Meeting and Property Tour. July 7, 2022 at 10:00am at the LRA Office located at the ALPHA Building in Roosevelt Roads. During such visit, the LRA will provide an overview of this RFP, provide a tour of the Project Property, and answer any questions. Any handouts and written responses to questions (which are the only binding responses) will be posted on [www.rooseveltroads.pr.gov](http://www.rooseveltroads.pr.gov). This mandatory pre-submittal meeting and Project Property tour will be the only opportunity for respondents to visit the Project Property guided by LRA representatives, prior to submission of Proposals. Respondents may visit the Roosevelt Roads Property accessible to the public during normal access hours 6:00am-6:00pm without the presence of an LRA representative.

1.1.8 Bid Bond Requirements. The LRA will narrow down the proponent list based on their respective evaluation scores and nominate one Preferred Proponent and no more than two Alternate Proponents. The process will enter in a Negotiation Phase when the LRA will give the



Preferred Proponent additional time to finish its technical due diligence before executing a final Development Agreement. In the event that the negotiation between the Preferred Proponent and the LRA is unsuccessful, then the next Alternate Proponent, after written request by the LRA, will be considered a Preferred Proponent and start the Negotiation Phase again. A US\$50,000 non-refundable Bid Security Deposit will be paid by the Preferred Proponent after being notified of its Preferred Proponent status and before starting the Negotiation Phase. The amount of the Deposit will be credited as part of the rent fees after the Development Agreement is executed.

1.1.9 **Reservation of Rights.** The LRA reserves the right, in its sole and absolute discretion, to Cancel or suspend this RFP process or any or all phases, at any time for any reason.

1.1.10 **Reservation of Rights.** The LRA reserves the right, in its sole and absolute discretion, to Change or amend the business opportunities described in this RFP.

1.2 **Project Description.** As further described in Section 3, this RFP seeks a Respondent that has the expertise and ability to improve and operate the Former Naval Station Roosevelt Roads ("FNSRR") fuel storage facility by means of a Development Agreement.

1.3 **Property Description.** The LRA owns and leases from the Navy approximately 3,400 acres at NSRR. The Project is composed of three parcels totaling 59 acres and contains a deep draft fueling pier, eight storage tanks, a pumping facility and a laboratory building. Fuel pipelines (currently decommissioned) run from the fueling pier, through the eight tanks and to the Ceiba airport, arriving at a large above-ground jet fuel steel tank. See Section 3 for additional information.

1.4 **Bidder Registration Form.** Interested bidders must submit the Bidder Registration Form attached hereto as Exhibit B to the LRA by e-mail at [lradevelopment@lra.pr.gov](mailto:lradevelopment@lra.pr.gov) no later than June 30, 2022 at 5:00pm.

1.5 **Mandatory Pre-Submittal Meeting and Property Tour.** July 7, 2022 at 10:00am. During such visit, the LRA will provide an overview of this RFP, provide a tour of the Project Property, and answer any questions. Any handouts and written responses to questions (which are the only binding responses) will be posted on [www.rooseveltroads.pr.gov](http://www.rooseveltroads.pr.gov) following the meeting. This mandatory pre-submittal meeting and Project Property tour will be the only opportunity for respondents to view the Project Property guided by LRA representatives, prior to submission of Proposals. Respondents may visit the NSRR Property accessible to the public during normal access hours 6:00am-6:00pm without the presence of an LRA representative.

1.6 **Additional Information and Questions.** All exhibits, additional information, addenda, and any questions/answers received on this RFP will be posted on the LRA's website at [www.rooseveltroads.pr.gov](http://www.rooseveltroads.pr.gov). Questions can be submitted via e-mail only to [lradevelopment@lra.pr.gov](mailto:lradevelopment@lra.pr.gov) no later than July 28, 2022, at 5:00pm; no telephone inquiries will be accepted. All information posted on [www.rooseveltroads.pr.gov](http://www.rooseveltroads.pr.gov) on the Fuel Tank Farm Development and Operation RFP #2022-002 section of the LRA website, is deemed incorporated into this RFP.

The objective of this RFP is to receive general business plans and economic proposals conducive to a long-term Development Agreement for the best use of the Roosevelt Roads Tank Farm. Upon receipt of the proposals, the LRA will evaluate the submitted business ideas, together with each Proponent's professional qualifications and select –based on a best value proposition– one Preferred Proponent together with up to two Alternate Proponents. The Preferred Proponent will be given enough time to complete a technical due diligence and negotiate with the LRA the economic terms and other contract provisions before executing an agreement.

## 2. LRA Background

2.1 History of the NSRR Property. NSRR, including the Project Property, was used as a military installation since its acquisition and development by the Navy in the 1940s until its closure on March 31, 2004. Prior to acquisition by the Navy, the Navy environmental reports identify that NSRR was previously used for sugar cane cultivation and cattle grazing, with no significant industrial facilities or environmental concerns being identified with respect to activities conducted on the former NSRR prior to Navy ownership. The property is truly a unique and rare resource, having been isolated from normal development trends since the early part of the last century and situated at the foothills of El Yunque National Rainforest – one of the world’s greatest natural wonders. The property represents an interesting mix of natural ecological areas (approximately 3,340 acres of which are already under the care of the Conservation Trust), physical infrastructure, a major airfield with an 11,000-foot runway (already under the care of the Puerto Rico Ports Authority), and waterfront development areas. **Table 1** summarizes the FNSRR total acreage.

2.1.1 Pursuant to Section 8132 of the Department of Defense Appropriations Act for Fiscal Year 2004 (Public Act No. 108-87), the Navy was directed to close NSRR pursuant to the procedures and authorities contained in the Defense Base Closure and Realignment Act of 1990, as amended (title XXIX of Public Law No. 101-510, 10 U.S.C. § 2687 note) (the “Base Closure Act”). The Navy closed NSRR on March 31, 2004, and all industrial and commercial operations on the former NSRR with a significant potential for environmental contamination were ceased.

2.1.2 The LRA and the Navy executed that certain *Economic Development Conveyance Memorandum of Agreement between the United States of America Acting by and through the Department of the Navy and the Local Redevelopment Authority for Naval Station Roosevelt Roads* dated December 20, 2011, Amendment No. 1 dated December 11, 2012, and Amendment No. 2 dated September 1, 2015 (as amended, the “EDC Agreement”) to set forth the terms and conditions of the transfer of land at NSRR to the LRA. Pursuant to the processes outlined in the Base Closure Act and its implementing regulations, and the terms and conditions set forth in the EDC Agreement, the LRA and Navy have executed numerous deeds, bills of sale, easements, and that certain *Lease in Furtherance of Conveyance between the United States of America and Local Redevelopment Authority for Naval Station Roosevelt Roads at the Former Naval Station Roosevelt Roads, Puerto Rico* dated January 25, 2012, as amended on March 20, 2013 and May 6, 2013 (“LIFOC”), attached hereto as Exhibit E-4

2.1.3 The LRA divided the NSRR Property into nine (9) zones ranging from an airside industrial park, institutional clusters, to a waterfront district, eco-tourism lodges and housing. See Exhibit A-2. These are further described in the 2014 Development Zones Master Plan for the Roosevelt Roads Redevelopment attached as Exhibit D. This 2014 Development Zones Master Plan complements the 2014 Special Plan published by the Puerto Rico Planning Board, attached hereto as Exhibits H-1 through H-3.

2.1.4 Since the 2004 closure, the Navy has transferred land at NSRR to the LRA for economic development purposes, the Puerto Rico Ports Authority for airport purposes, the Department of Natural and Environmental Resources for conservation purposes, and the Municipality of Ceiba for municipality purposes.

2.1.5 For purposes of negotiating with the Navy, the NSRR Property was divided into three parcels, as shown on Exhibit A-1. The LRA controls all of Parcels 1, 2, and 3 – either through deeds or the LIFOC; thus, references to Parcels 1, 2, and 3 are no longer significant, but are useful for purposes of reviewing due diligence materials.



2.2 Establishment of the LRA. The Roosevelt Roads Naval Base Lands and Facilities Redevelopment Authority Act was enacted on September 29, 2004 and amended on September 18, 2014 (as amended, "Law No. 508"). The LRA is a public corporation and government instrumentality of the Commonwealth. The LRA is governed by a ten (10) member Board of Directors ("LRA Board"). The President of the LRA is the Commonwealth's Secretary of Economic Development and Commerce. Other LRA Board members include representatives designated by the President of the Senate, the Speaker of the House, the Governor, the Puerto Rico Fiscal Agency and Financial Advisory Authority and mayors of the communities surrounding NSRR. On August 30, 2006, the Office of Economic Adjustment of the Department of Defense (now Office of Local Defense Community Cooperation) recognized the LRA as the local redevelopment authority for purposes of implementing the local redevelopment plan at NSRR.

2.2.1 Law No. 508 authorizes the LRA to, among other items, have full dominion over its properties; negotiate and grant any contracts, leases, or other agreements necessary or convenient to exercise the LRA's powers and authorities; design, construct, or modify any facility that the LRA considers necessary or convenient; acquire and dispose of property (with the consent of the Legislative Assembly for any sales); and issue bonds. Law No. 508 authorizes the LRA to function as a public corporation for a period of 40 years as of the enactment, or until the LRA fulfills the agreements with the Navy.

2.3 Surrounding Communities. The NSRR Property is adjoined by the communities of Ceiba and Naguabo. Nearby islands are Vieques and Culebra. It is important to the LRA that these communities are involved in the redevelopment of the NSRR Property.

2.4 Incentives. For information regarding Tax Incentives in Puerto Rico visit [Incentives Department of Economic Development and Commerce \(pr.gov\)](http://Incentives.DepartmentofEconomicDevelopmentandCommerce.pr.gov)

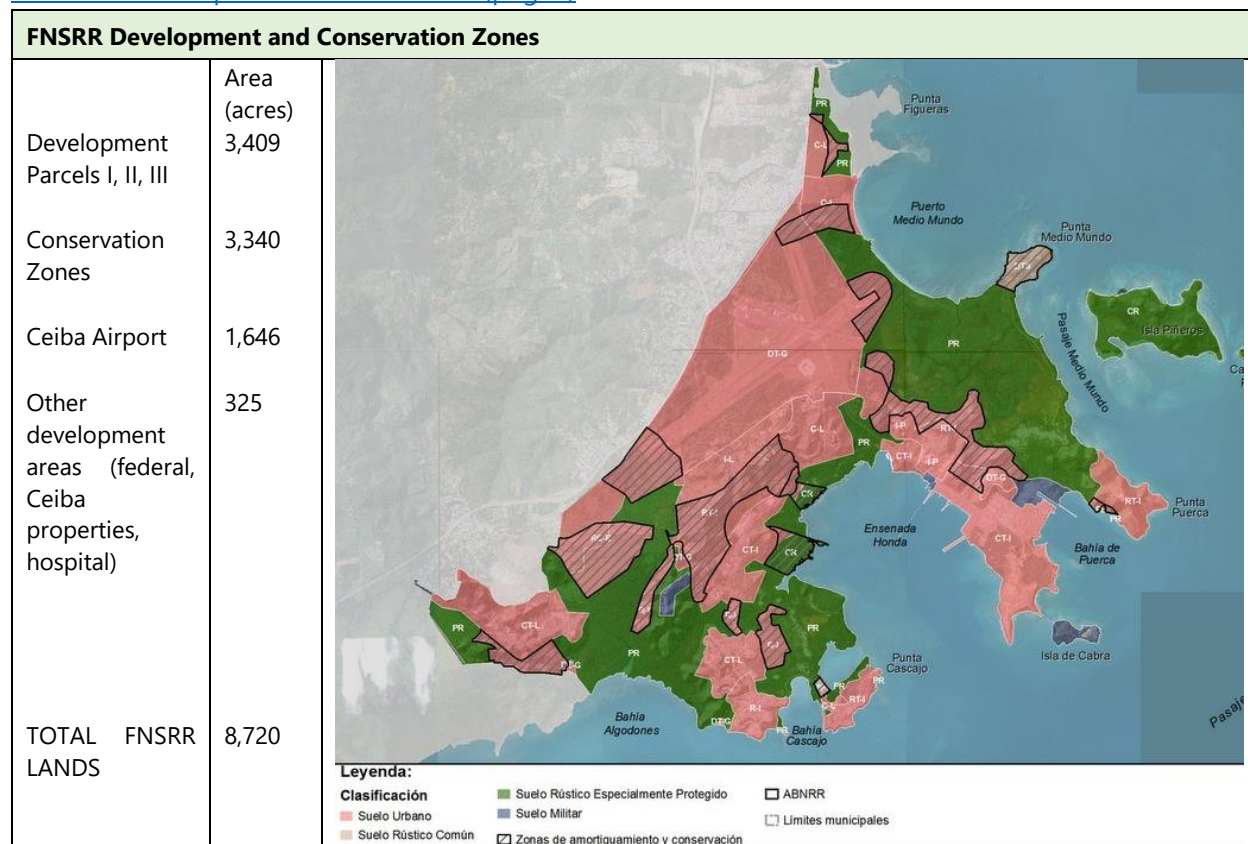


Table 1 FNSRR Development and conservation zones

### 3. Project Description



3.1 Description of the Project. The Roosevelt Roads Tank Farm is part of the fuel storage facility for former US Naval Station Roosevelt Roads. The Project is composed of three parcels totaling 59 acres and contains a deep draft fueling pier, eight storage tanks, a pumping facility and a laboratory building. Fuel pipelines (currently decommissioned) run from the fueling pier, through the eight tanks and to the Ceiba airport, arriving at a large above-ground jet fuel steel tank.

This RFP pursues a long-term Development Agreement between the LRA and the selected Proponent for the improvement and operations of the Roosevelt Roads Tank Farm. This agreement will grant the eventual operator exclusive use (in “as-is, where-is” condition) of the Tank Farm components. The uses for the Terminal facility will be centered on the exclusive use of Pier 1 (a 1,600-foot long, 40-foot deep fueling pier) and eight steel tanks that in aggregate can hold over 34 million gallons of liquid fuels. If so requested by the Proponent, this facility may be included as part of a Foreign Trade Zone (FTZ) as defined by the Foreign Trade Zone Act of 1934, as amended, for the storage and blending of petroleum products or similar activities, making it the attractive for the storage/commercialization of imported fuels for Puerto Rico and international markets. A pipeline connection to the Ceiba airport (José Aponte de la Torre or RVR) is another viable option.

3.2 The Project Property. Puerto Rico, a territory of the USA, is located right within a major oil shipping lane that links the Virgin Islands in the Eastern Caribbean to the US Gulf Coast to the West and the African and Middle Eastern oil producers to the East. It also coincides with the freight shipping lane linking the western US and Asia through the Panama Canal and Western Europe. To many ships, Puerto Rico is the first major port west of the Atlantic available on trips from Europe to the Panama Canal (see **Figure 1**).

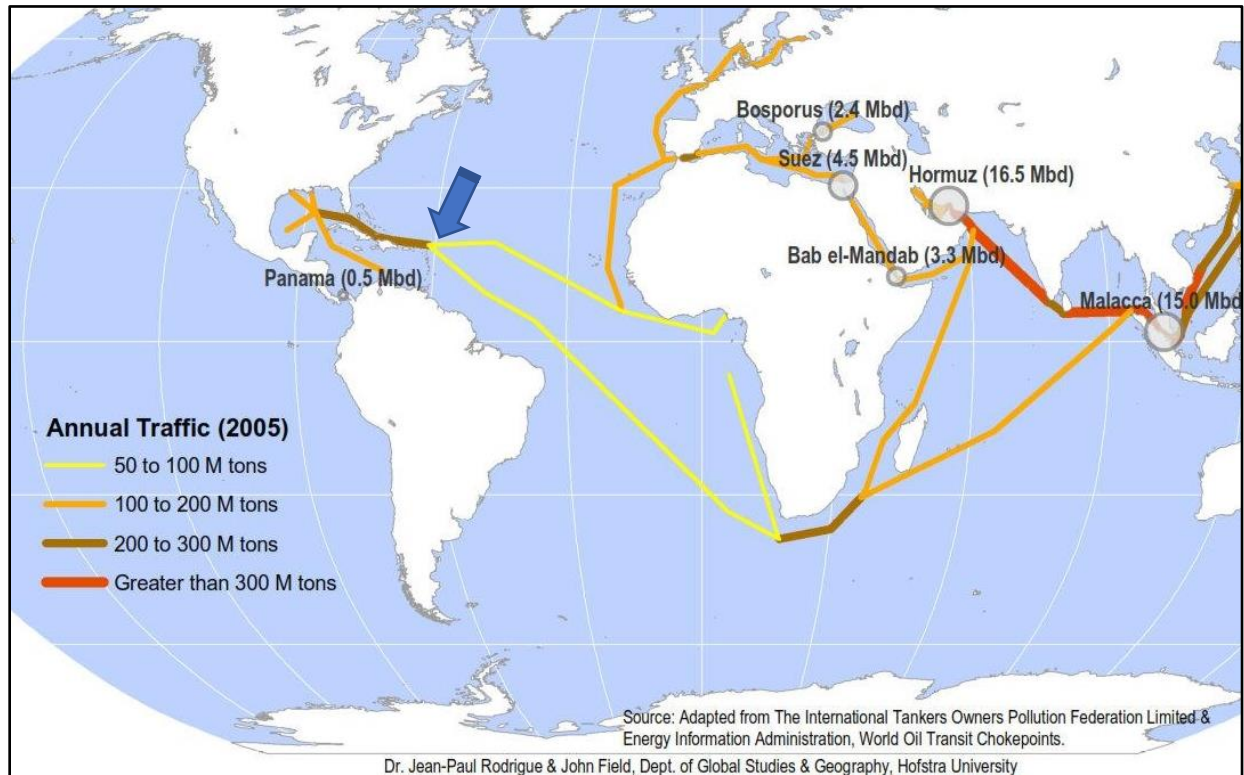


Figure 1 global oil routes and choke points Major

FNSRR is located in Puerto Rico's easternmost corner (18.2381° N, 65.6278° W), in the municipalities of Ceiba and Naguabo. Its two deep ports are located less than 20 n.m. of the port of Yabucoa, PR (the former Shell refinery), 60 n.m. from the port of San Juan and 70 n.m. from the former Hovensa Refinery in St. Croix, USVI (see **Figure 2**).



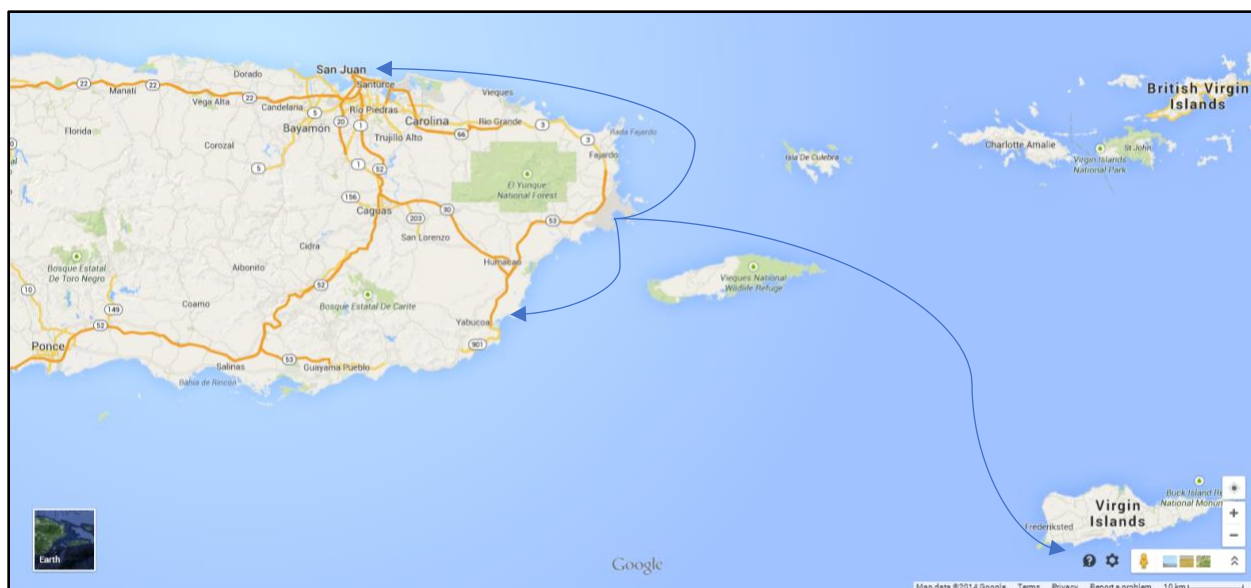


Figure 2 Puerto Rico and the US Virgin Islands

Maritime access to the Tank Farm is reached through Ensenada Honda, one of Roosevelt Roads' two deep ports (see **Figure 3**). It was dredged to around 40' in the 1990's and was used by the US Navy in part to supply jet fuel to the Atlantic Fleet's airplanes during training exercises in nearby waters. Its pier infrastructure, proximity to the Ceiba airport, highways and to major international shipping channels makes this area an attractive fuel storage location. See Exhibit F-3 with Bathymetry.

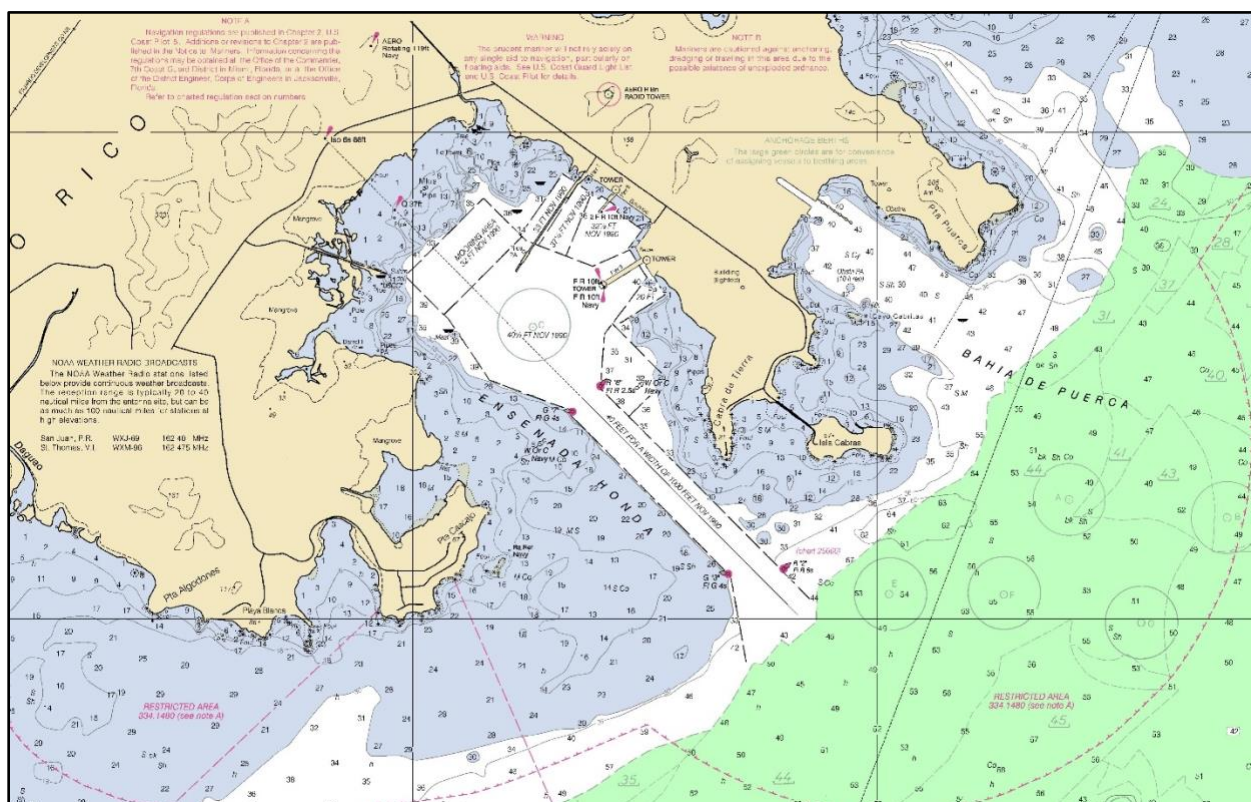


Figure 3 Ensenada Honda and Bahía de Puerca, Roosevelt Roads

FNSRR has been the subject of various master plans, the result of being a former military base transferred by the Navy to the Commonwealth of Puerto Rico through BRAC. These include a Redevelopment Master Plan, an Infrastructure Master Plan, a Biological Assessment, and a Land Use (zoning) Plan. There is also a master plan for the redevelopment of the Ceiba airport.

3.2.1 Project Site. See [Exhibit F-1](#) with CAD drawing of the property.

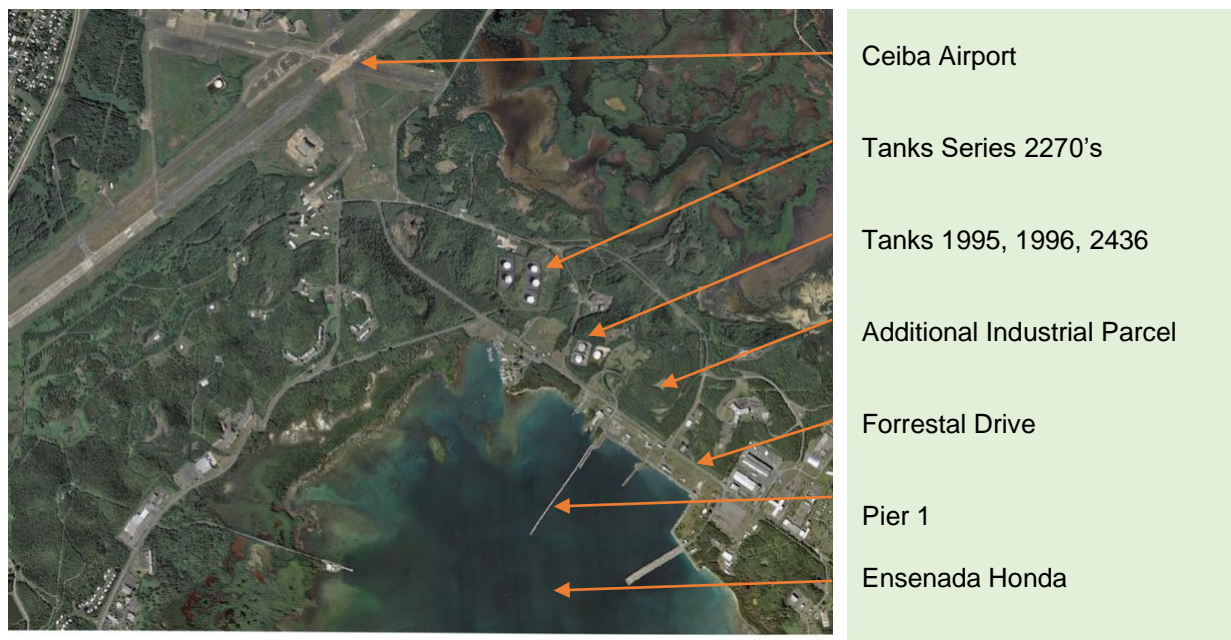


Figure 4 Tank Farm Overview

### 3.2.1 Tank Farm Parcels

The Tank Farm area totals around 238,115 m<sup>2</sup> (58.8 acres) and is divided in three main areas: (i) parcel TFP1 containing the former test lab building, (ii) parcel TFP2 that contains the pump station building and three tanks, and (iii) parcel TFP3 that contains five tanks. A summarized description of each parcel is included in **Figure 5** and a survey plan is included as [Exhibit F-2](#). Additionally, various right of ways have been defined for the fuel lines linking these three lots. There is an option to link the Tank Farm to the Ceiba airport fuel tanks, which are property of the Puerto Rico Ports Authority ("PRPA"). This last alternative is optional and its use is left at the discretion of the Proponent. This possible connection has to be negotiated directly with the PRPA and is not part of this RFP document. A description of the suggested right of ways is included in **Table 4**. The fueling pier and laboratory building (parcel TFP1) is physically separated from parcels TFP2 &

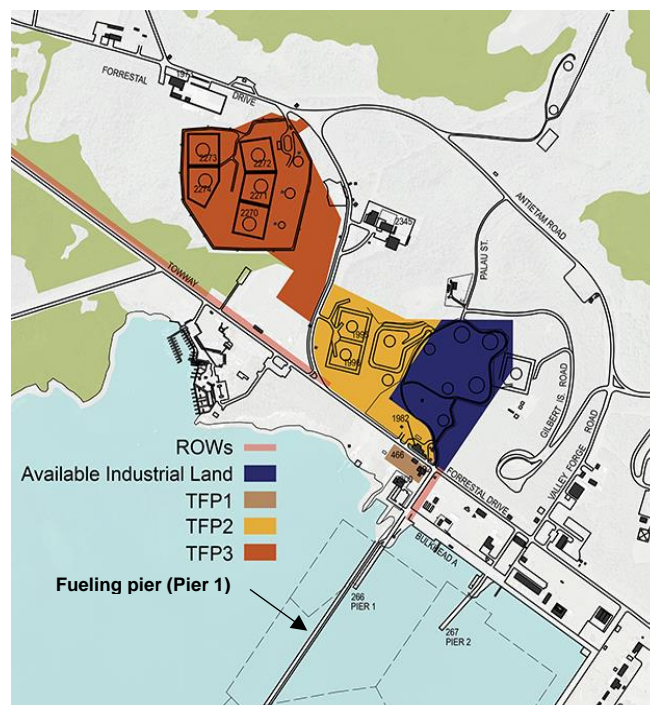


Figure 5 RFP Parcels

TFP3 by Forrestal Drive, a major public road inside Roosevelt Roads linking the eastern corner of the former base to the Ceiba airport and Gates 1 & 3.

The LRA owns additional land (around 20-30 acres) adjacent to the Tank Farm that may be used for similar or compatible industrial uses. This land, however, is subject to environmental remediation and will be made available at a later date. For these reasons, the lease of any additional land may be requested as part of a separate, future negotiation.

DESCRIPTION OF TANK FARM PARCELS			
Parcel ID	Approx. Lot Size (m <sup>2</sup> )	Approx. Lot Size (acres)	Remarks
TFP1	5,606.2	1.385	Parcel TFP1 is totally flat and close to sea level. It contains building 192 (Field Test Lab) and is accessed via Forrestal Drive. This corner lot is the most accessible from Forrestal Drive and thus can accommodate administrative offices, employee facilities, parking, a basic testing laboratory and other uses. Building 192 can be improved and expanded to handle additional uses. This lot is not fenced and presents flooding risks from surface water coming from Forrestal during exceptional rain events.
TFP2	83,165.7	20.550	Parcel TFP2 is on hilly topography, accessed from Forrestal Drive, with a rising slope from there. Its perimeter is fenced and contains building 1982 (pump room facing Forrestal) and three tanks (1995, 1996 and 2436). The lot has internal roads and also contains segments of oil piping, valves and electrical/control features. Building 1982 houses the main existing pumps and valves and an electrical control room. It also houses the former electrical backup generator and a small office space in a second level. Building 1982 can be upgraded to serve as the control and pump building and also can house other support mechanical and electrical spaces.
TFP3	149,343.1	36.903	Parcel TFP3 is semi-flat and higher in elevation than TFP1 and TFP2. Its perimeter is partially fenced and contains tanks 2270, 2271, 2272, 2273 and 2274. The lot can be accessed via Forrestal Drive; it has internal roads and segments of oil piping, valves and electrical/control features. This parcel can accommodate additional tanks for future growth in an open area that used to contain underground tanks and is currently unused.
	238,115.0	58.838	TOTAL AREA

Table 2 Descriptions of Tank Farm parcels



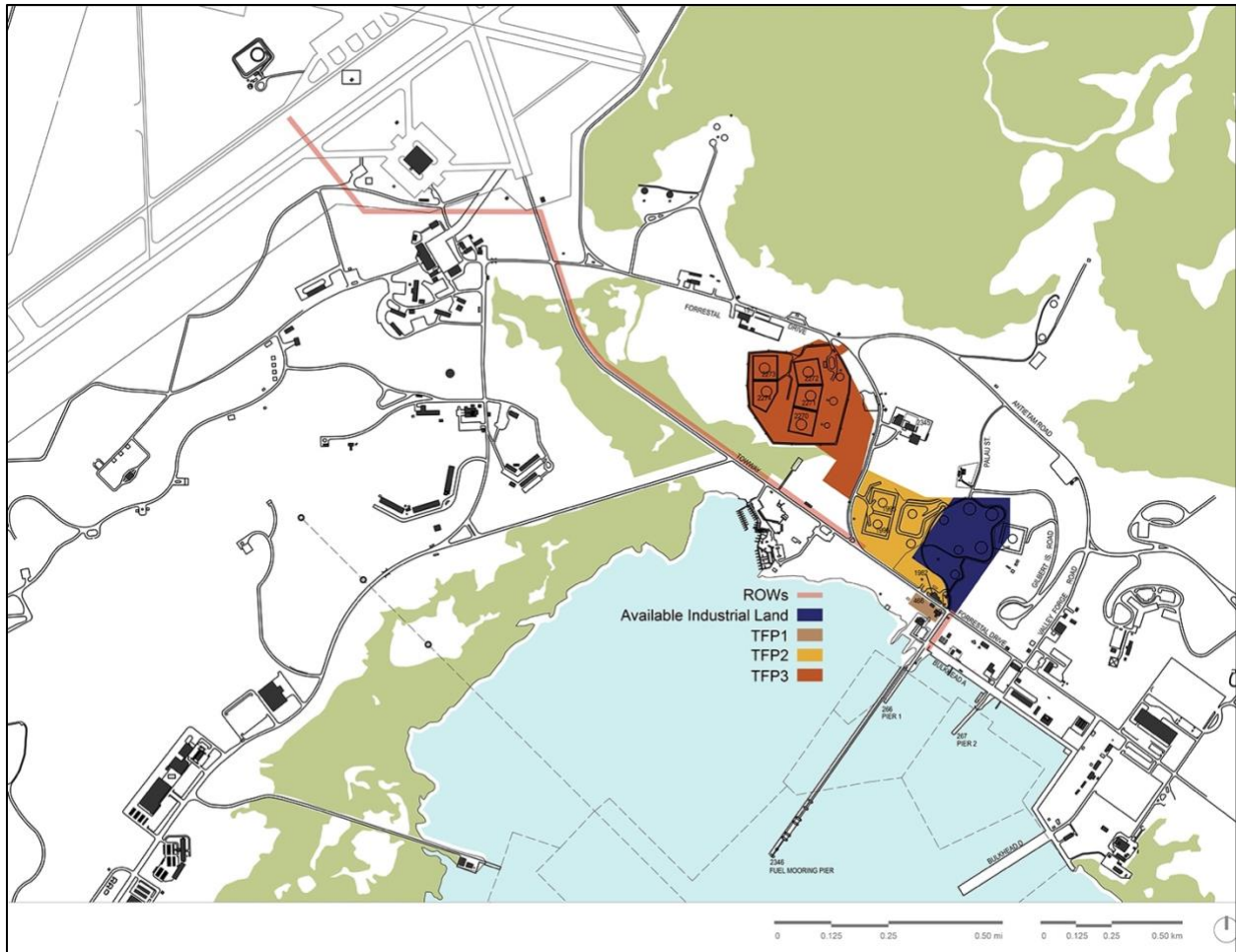


Figure 6 Tank Farm Parcels and ROWs

### 3.2.2 Zoning

The Tank Farm is zoned Special Heavy Industrial (E-6), thus allowing the operation of fuel storage and other manufacturing uses directly related to the presence of the Tank Farm. The definition of this zoning district is detailed in the Puerto Rico "Reglamento de Ordenación de los Terrenos y la Forma Urbana de la Antigua Base Naval de Roosevelt Roads" (ROTFU) and in the Roosevelt Roads Land Use Plan, included as Exhibits H-1 through H-3.

### 3.2.3 Environmental Restrictions

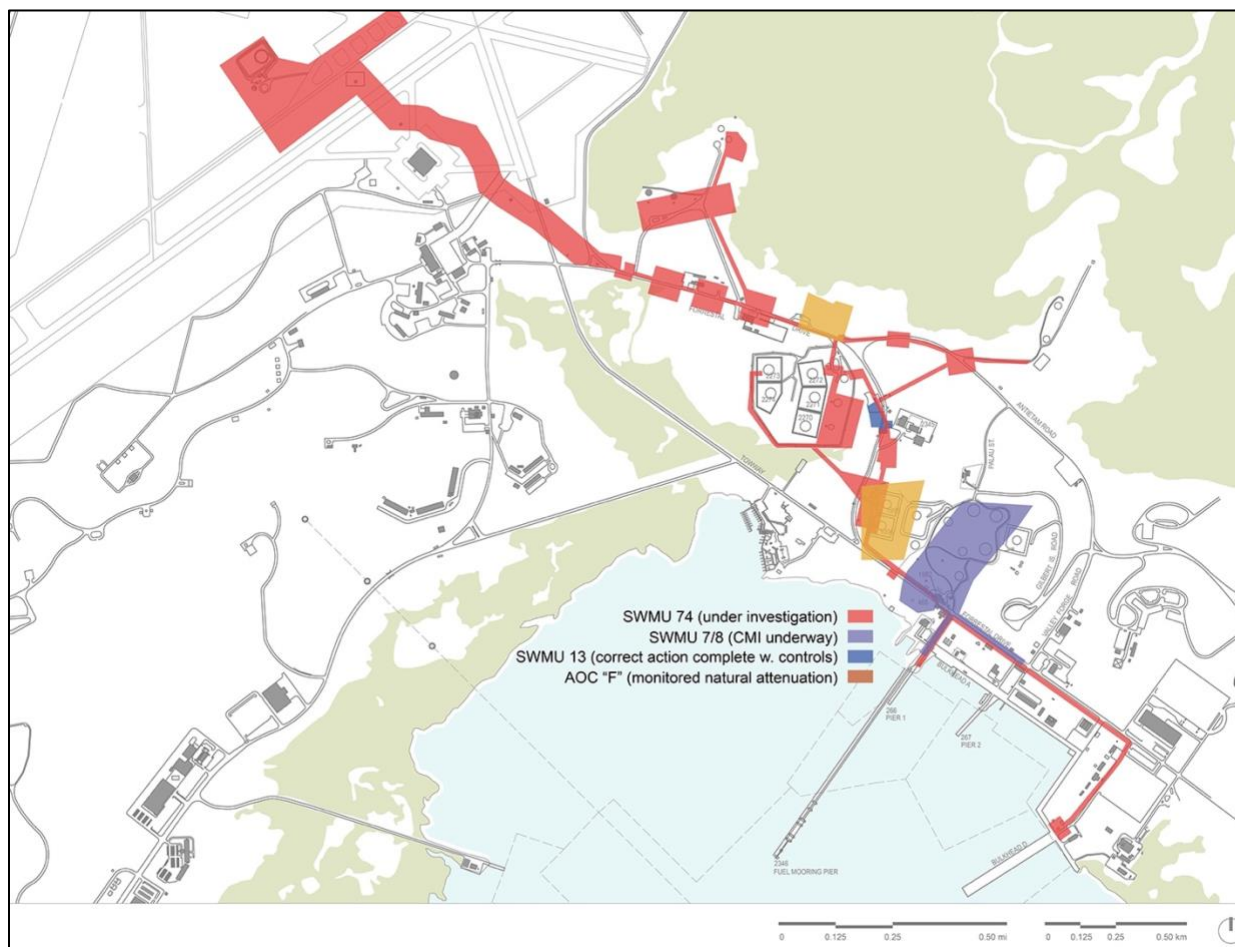


Figure 7 Environmental Remediation in progress

The Navy is carrying out an environmental remediation process at FNSRR, following EPA rules, as part of its BRAC land conveyance agreements. It identified areas of land that were known to be contaminated or suspected to have soil or groundwater contamination, classifying these areas as either a *Solid Waste Management Units* (SWMUs); or *Areas of Concern* (AOC). For information about these restrictions see [Exhibits E-0 through E-6](#).

The Tank Farm premises contain portions of SWMUs and AOC's that need to be addressed and taken into consideration when designing the terminal operation. Among the parcels with restrictions due to environmental remediation are:

#### 3.2.3.1 SWMU 7/8

SWMU 7 and 8 is an area affected by releases from numerous large, partially in-ground, concrete fuel storage tanks and their connecting pipelines. The oldest fuel storage tanks date from the 1940s. Over the years, spills have occurred, and tanks have leaked. A Corrective Measures Implementation (CMI) Plan for SWMUs 7/8 was submitted to the EPA on June 15, 2012.

The portion of SWMU 7/8 that incites on the RFP Parcels affects building 1982 and a portion of the building 192 parcel.

#### 3.2.3.2 SWMU 74

SWMU 74 consists of specific portions of the JP-5 and diesel fuel marine (DFM) fuel pipelines, and the aircraft hydrant refueling pits. Past evaluations identified leaks at locations along the fuel line and valve pits. The pipelines which served the valve pits were decommissioned. A Draft Phase II of the CMS Investigation and CMS final Report for SWMU 74 was submitted to the EPA on July 13, 2012.

The portion of SWMU 74 affecting the RFP Parcels has been declared as clean with a Finding of Suitability to Lease (FOSL).

#### 3.2.3.3 SWMU 13

SWMU 13 includes the Old Pest Control Shop Area where Building 258 was demolished and the surrounding area. Pesticides were dumped into the soil and into a drainage ditch behind the building. The ditch discharges into the nearby bay (Ensenada Honda). The Revised Final Project Closeout Report - Remedial Action for Soil Remediation at Various Sites (including SWMU 13) was submitted to the EPA on March 24, 2011 in accordance with EPA comments dated September 16, 2010.

SWMU 13 has been declared as clean with a Finding of Suitability to Lease (FOSL) with the restriction of no residential construction on it.

#### 3.2.3.4 AOC F

AOC F consists of eight individual sites from which underground storage tanks were removed. Following the removal of the USTs and investigations, the sites were recommended for remedial action by monitored natural attenuation (MNA). The MNA included separate protocols for each of the sites, which included soil sampling and/or groundwater sampling on a quarterly or annual basis depending upon the site. A Draft Monitored Natural Attenuation AOC F Year 9 Quarter 3 Report was submitted to the EPA on February 27, 2012.

The portion of AOC F (1995) affecting the RFP Parcels has been declared as clean with a Finding of Suitability to Transfer (FOST-Clean).

#### 3.2.4 Other Restrictions

In addition to the land use controls presented for the SWMUs there are other permanent environmental restrictions imposed on the Tank Farm land due to the protection of endangered species habitats. These have to do mostly but are not limited to, protecting the habitats of the yellow-shouldered blackbird, the manatee and certain species of sea turtles. You may reference Exhibit E-5.

It is the responsibility of the Proponents to consider any restrictions on the land when preparing the Proposal and its financial terms.

#### 3.2.5 Utilities

The LRA is providing points of connection for water, sanitary sewer and electrical to the Tank Farm facility. These connection points are located on Forrestal Drive. The hookup process as well as payment for any installation and service fees will be the responsibility of the Proponent and coordinated with the LRA. The actual design and construction of the internal distribution of utilities must be approved by the LRA and funded by the Proponent.

#### 3.2.5.1 Electrical

The LRA currently provides the electrical service. A private operator will provide the service in the near future. The service drop will be located on Forrestal Drive. It is the responsibility of the Proponent to bring that connection through an underground installation into the Tank Farm premises and to build and maintain the remaining necessary infrastructure as part of the internal terminal operations.

#### 3.2.5.2 Potable Water

Presently, the LRA serves as the potable water service provider. The potable water connection point will be located in Forrestal Drive. It is the responsibility of the Proponent to coordinate with the LRA and to bring that connection into the Tank Farm premises and to build and maintain the remaining necessary infrastructure as part of the internal terminal operations.

#### 3.2.5.3 Sanitary Sewer

Presently, the LRA serves as the sanitary sewer utility provider. The area planned for the sanitary sewer tapping is located in Forrestal Drive. It is the responsibility of the Proponent to coordinate with the LRA to bring that connection into the Tank Farm premises and to build and maintain the remaining necessary infrastructure as part of the internal terminal operations.

### 3.3 Tank Farm Components

The Roosevelt Roads Tank Farm presently contains eight steel tanks built between 1979 and 1988. These were part of a group of about 19 tanks (mostly older underground, concrete tanks) originally interconnected via underground fuel pipelines and managed from a pump room. From this control area, pipelines continued to Pier 1 and to other destinations, such as the Ceiba airport and additional piers. The whole tank farm system allowed the US Navy to run a large-scale military fueling operation that required the coordinated flow of jet fuel and diesel to and from barges, warplanes, tankers and war ships during training exercises that occurred for a couple of weeks various times per year. During its operating peak, the tank farm facility was able to –simultaneously- serve over 6,000 bbl. and receive 11,000 bbl. per hour.

Currently all of the large concrete underground and smaller steel tanks have been decommissioned and/or demolished; only the largest eight steel tanks were kept. This was due to the fact that these eight tanks were the only ones capable of operating under modern codes and regulations. See [Exhibits F-4 through F-5](#) for tank information.

Following is a definition of the Tank Farm's main elements:



### 3.3.1 Pier 1 (Fueling Pier)



Figure 8 Pier 1

The dedicated fueling pier is Pier 1. This is a concrete pile and concrete deck pier, approximately 2,650 ft. (503m) long by 16 ft. (5m) wide. It has the capacity to handle six top-loading arms (three on each side). The pier facility has capacity to handle two fuel pipes (16" dia.), discharge of sanitary waste from the ships and supply potable water.

Fire suppression systems for Pier 1 could not be identified.

### 3.3.2 Building 192 (Test Field Lab)



Figure 9 Building 192 and Forrestal Drive

Building 192 (built in 1956) is a one-story concrete building containing office space, employee facilities and laboratory space. It is rectangular in shape with an area of 4,923 ft<sup>2</sup>. It is located south of Forrestal Drive, between the fueling pier and building 1982. The area where the building is located (parcel TFP1) can accommodate future parking and equipment storage. A fence and exterior lighting must be built to secure the parcel's perimeter.

Fire suppression systems for building 192 could not be identified.

### 3.3.3 Building 1982 (Pump Station)

Building 1982 is located north of Forrestal Drive and houses the pumps, controls and piping valves. It includes an electrical substation and a small office space on a second level.



Figure 10 Building 1982 covered machine room

The existing pump system includes six main pumps (centrifugal), powered by electric motors. Each one of these six pumps is associated with one of the six loading/unloading arms on Pier 1. Additionally, two secondary pumps perform other duties such as draining and fire suppression.

All pumps are interconnected by means of a system of manually operated manifolds and valves, allowing for multiple combinations of tanks and pier loading (or unloading) points.

The working condition of this manifold and valve system is unknown given that most of the pipelines were rendered unusable during the environmental cleanup process.

Building 1982 also houses an electrical backup generator (currently unusable), a transfer switch and additional controls that managed the power loads for all the pumps. An outdoor transformer handled the conversion of primary voltage down to 480 VAC.



Figure 11 Series 2270 tanks

Fire suppression systems for building 1982 could not be identified.

#### 3.3.4 Tanks (8)

The Roosevelt Roads Tank Farm presently contains eight steel tanks (**Table 3**) divided in two clusters: (i) five fixed-roof tanks totaling 21,168,699 gal.; (ii) two fixed-roof tanks and one internal floating roof tank with total capacity for 12,982,572 gal.

Based on an exterior, visual inspection, all eight tanks can be put in operational condition with maintenance work and minor repairs. Their surrounding spill prevention ponds (dikes) are in need of major maintenance given the vegetation outgrowth during years of inactivity. These works would include cleaning and grubbing, replacement of construction joints and replacement of damaged concrete pads. Asphalt-lined dikes may need complete replacement or lining due to vegetation overgrowth and erosion.



Tank Farm Existing Tanks						
Tank Number	Diameter (ft.)	Height (ft.)	Known Uses	Storage Cap. (gal.)	Year Built	Remarks
1995	135'	40'	JP5, DFM	4,200,000	1979	
1996	135'	40'	DFM	4,382,572	1979	
2436	138'	40'	NA	4,400,000	NA	Estimated Cap.; Internal floating roof
2270	125'	48'	JP5	4,200,000	1987	Asphalt dikes; tank built by Alonso & Carus
2271	125'	48'	JP5	4,167,226	1987	Asphalt dikes; tank built by Alonso & Carus
2272	125'	48'	JP5	4,270,610	1988	Asphalt dikes; tank built by Alonso & Carus
2273	125'	48'	JP5	4,265,627	1987	Asphalt dikes; tank built by Alonso & Carus
2274	125'	48'	JP5	4,265,236	1987	Asphalt dikes; tank built by Alonso & Carus
TOTAL CAPACITY				34,151,271		

Table 3 Roosevelt Roads Tank Farm tanks schedule

#### 3.3.4.1 Fire Suppression

All tanks are built inside individual containment dikes lined with concrete or asphalt. A manual, truck loaded foam injection system is present in the five tanks of series 2270s. This system couples the truck foam supply to fittings at the exits of each tank's dike. This foam-chamber system has been without maintenance for over 18 years and replacement is recommended. Fire suppression systems for tanks 2436, 1995 and 1996 could not be identified.

#### 3.3.4.2 Pipelines

Most of the Tank Farm's pipelines were decommissioned by the Navy as part of their environmental remediation program. Also, existing pipeline easements running throughout FNSRR are part of on-going remediation procedures, with its uses currently restricted.

The Proponents must consider the installation of new fuel pipes from the existing pump facility to the fueling pier, each of the eight existing tanks and possibly to the Ceiba airport. **Table 4** shows the distances of possible pipeline easements that fall outside the Tank Farm premises.

Pipeline Easements		
ROW ID	Length range (M)	Remarks
ROW01	150-250	From fueling pier (Pier 1) to pump station (building 1982)
ROW02	2500 to 3500	From pump station to Ceiba airport tanks

Table 4 Tank Farm suggested pipeline easements

## 4. Proposal Requirements

4.1 Page Limitation. While there is no page limitation for the Proposals, Respondents are *strongly* encouraged to be concise in their responses.

4.2 Language. All Proposals must be submitted in English.

4.3 Cover Transmittal Letter. Respondents should submit a signed cover letter which acknowledges that the Respondent has received, examined, and is familiar with the RFP, including all exhibits and information posted on [www.rooseveltroads.pr.gov](http://www.rooseveltroads.pr.gov). The cover letter should provide an executive summary of the Proposal. The cover letter should be signed by a person that has full authority to bind the Respondent to the Proposal and to all terms and conditions of the Proposal (if multiple team members are included in the Proposal, an authorized representative from each team member may sign the same cover letter or submit separate cover letters containing these representations).

4.4 Presentation of Qualifications. Each Proposal should address all of the following items, in the order listed below, unless noted as optional.

4.4.1 Part 1: Qualifications and Past Performance. Information should be provided that will enable the LRA to evaluate the Respondent's qualifications and past performance. At a minimum, the following items should be addressed in this section of the Proposal:

4.4.1.1 A description of the Respondent's organizational history and background.

4.4.1.2 A description of the role to be played and qualifications of key personnel and any team members. In an appendix, attach biographies of key personnel and an organizational chart if more than one entity is involved in the Proposal. To the extent one or more companies will be forming a joint venture to accomplish this Project, Respondents should either provide (i) evidence that such joint venture has been formed prior to submission of the Proposal, or (ii) a Term Sheet executed by such companies which identifies the general terms of the joint venture that will be formed, including which company or companies have the authority to make binding decisions on behalf of the joint venture.

4.4.1.3 A summary of the Respondent's experience in managing projects of a similar nature to the Project. To the extent possible, the narrative should specifically describe how the Respondent's experience demonstrates that it has the skills and experience necessary to develop, finance, operate, and maintain the Project.

4.4.1.4 Identify up to three examples of projects completed within the last ten (10) years that demonstrate relevant experience. For each example, identify (i) a description of the project, (ii) the Respondent's role in the project, (iii) period of performance, and (iv) contact information for the client's contracting officer or similar supervising party for the project. In particular, any projects that were public-private partnerships, located on former military bases or federally owned properties, that entailed redevelopment of a similar scale/nature as the Project, or required the Respondent to finance, design, construct, operate, and maintain the project should be described. Although the evaluation will be performed for the team, if multiple team members are involved, up to three examples per team member may be provided.

4.4.2 Part 2: Concept and Development Plan. Information should be provided that will enable the LRA to evaluate the Respondent's concept and development plan for the Project. At a minimum, the following items should be addressed in this section of the Proposal:

4.4.2.1 Concept and Vision. Respondents should describe in detail their overall concept and vision for the Project. Respondents should clearly identify any inconsistencies with the Project description provided in this RFP or the 2014 Development Zones Master Plan and explain the reason(s) for such deviation(s).

4.4.2.2 Development Plans. All designs must adhere to Federal, State and Local Laws and Ordinances. Facility design will be compatible with natural processes, esthetically pleasing, functional, sustainable, energy- and water-efficient, universally designed, and as welcoming as possible to all segments of the population. Respondents should describe:

4.4.2.2.1 Evidence of market demand for the Respondent's proposed uses.

4.4.2.2.2 Overall project timeline and phasing plan that describes the Respondent's strategy and timing for delivering various components of the Project. The phasing plan shall identify any concerns or alternatives to that schedule that are critical to the redevelopment.

4.4.2.2.3 A description of how utility services will be provided throughout the Project.

4.4.2.2.4 A plan for the on-going operation and maintenance of buildings, infrastructure, and grounds on the Project Property throughout all phases of development.

4.4.2.2.5 A description of how the Property will be developed to utilize (where appropriate) designs using Universal Design principles, LEED certifications, low impact design, and energy efficiency/renewable energy.

4.4.2.3 Conceptual Plans. Respondents should provide descriptive narratives and conceptual design drawings where appropriate, that have sufficient detail and should include:

4.1.1.1.1 A Site Plan showing the location of land use elements.

4.4.2.3.2 A general site and development plan indicating the proposed use, location, and height of each building.

4.4.2.3.3 A circulation plan, including the location of all vehicular and pedestrian access ways. Circulation Plan should include Path of Travel.

4.4.2.3.4 A plan describing any public space areas (if any), including any proposed improvements to be dedicated to the LRA.

4.4.2.3.5 Maintenance and operational plans for the buildings, grounds, and the utilities.

4.4.2.3.6 After reviewing the existing buildings, structures and infrastructure and their potential for re-use, Respondents should identify which the Respondent intends to reuse and which will be demolished (the timing for any demolition should be addressed in the phasing plan). A description of the Respondent's approach to the following should also be provided: building and infrastructure removal (project staging, methods, timing vis-à-vis the phasing plan); material reclamation, recycling, and on-site storage; hazardous materials and waste remediation and response (if any); noise, dust, vibration, truck traffic mitigation plans; and recycling of demolition material.

4.4.2.3.7 A description of the Respondent's approach to mitigating and managing known or potential environmental conditions on the Property.

4.4.2.3.8 A plan for marketing the Project Property to attract new businesses to accomplish the LRA's goals. Note that the LRA's goal is to attract new businesses into the region, not just providing new spaces for current companies to relocate.

4.4.3 Part 3: Financial Offer, Capacity, and Strategy. Information should be provided that will enable the LRA to evaluate the Respondent's financial offer and capacity to undertake the proposed Project. Respondents may receive a stronger evaluation depending upon the level of detail and commitment relative to the project financing. At a minimum, the following items should be addressed in this section of the Proposal:

4.4.3.1 Financial Stability. Provide a general overview of the Respondent's financial stability. In an appendix, attach the Respondent's audited financial statements from the previous five (5) years showing the Respondent's net worth and current financial status, including all statements of changes in financial position, and identifying any projects with negative cash flows, amount of the Respondent's non-recourse debt, and any non-performing loans.

4.4.3.2 Financing Strategy. It is critical to the LRA that Respondents be able to finance the Project. While Respondents are encouraged to familiarize themselves with any available tax benefits, note that **neither the LRA nor the Commonwealth intends to provide any public subsidy to fill any funding gaps or shortfalls**. Respondents should provide a narrative description of the proposed debt and equity composition of the Project and other financial assumptions that will allow the LRA to evaluate the financial feasibility of the proposed Project. All financial models must be unlocked, fully functional with active formulas in Microsoft Excel and submitted on a USB drive. It is understood that all assumptions cannot be known at this time, but Respondents are asked to provide their best assumptions and/or specifically identify where it is not possible to make reasonable assumptions. The following information must be provided in this Section:

4.4.3.2.1 The Respondent's proposed equity commitment to the Project and the timing of disbursement of that commitment, including letters of commitment from each equity investor for its Proposal, stating the full terms and conditions under which such amounts will be provided to the Project and with a schedule of disbursement consistent with the Respondent's requirement for construction and permanent financing.

4.4.3.2.2 Detailed description of which, if any, federal government, or other public funding sources the Respondent intends to attract to the Project, coordination with the implementing agency, and its timing.

4.4.3.2.3 Satisfactory evidence of Respondent's ability to secure project debt, including tentative commitment letters from prospective lenders.

4.4.3.2.4 A sources and uses table which includes an initial "order of magnitude" estimate of the cost of the Project along with potential sources and expected construction and development fees.

4.4.3.2.5 A conceptual level development budget showing the Project's total development costs, estimating the assumed value of the Property, construction costs, architectural, engineering and related fees. The Respondent should submit estimated total project costs. The submittal shall include, but is not limited to: hard and soft costs based on industry standards; all developer fees, general contractor fees and overhead costs separately identified; demonstration of how equity and debt or other methods of financing fully fund this Project; operating expenses analysis, affordable housing rent calculation broken down by unit type, family size, and any other project-specific return metrics; and all the assumptions used in the financial model.

4.4.3.2.6 A narrative statement explaining the economic feasibility of the proposed development. Respondents should provide full development proformas describing estimated development costs and projected project income for each income producing component proposed as part of the project.

4.4.3.2.7 Description of any specific plans to raise revenue to support infrastructure improvements and on-going common area maintenance.

4.4.3.3 Financial Offer. Respondents should propose the financial compensation that the Respondent proposes to pay to the LRA in exchange for the long-term lease of the Project Property. Respondents should note that the LRA is interested in maximizing revenues received by the LRA, while at the same time ensuring the long-term financial viability of the Project. The financial offer should include any assumptions and/or requirements for the proposed financial consideration to be provided to the LRA. Respondents must submit the Proposed Consideration Certificate attached hereto as Exhibit C-3.

4.4.4 Part 4: Local Impact. Information should be provided that will enable the LRA to evaluate the expected local impact from the proposed Project. At a minimum, the following items should be addressed in this section of the Proposal:

4.4.4.1 Community Relations. The maintenance of good community relations is important to the LRA. In this section of the Proposal, identify how good relations with all involved parties (including the LRA, and the communities surrounding the Property) will be maintained throughout the duration of the Project. Respondents should identify local market knowledge and a community relations strategy applicable to the NSRR region. Examples from previous community relations experiences should be included.

4.4.4.2 Local Job Generation. One of the LRA's primary goals for this Project is to create local jobs. Respondents should:

4.4.4.2.1 Identify the percentage of contract dollar volume of the redevelopment budget the Respondent will strive to award to firms based in Puerto Rico. Please note that the LRA's goal is for at least 33% (a higher percentage will improve your evaluation of this criterion) of the redevelopment budget to be awarded to firms based in Puerto Rico.

4.4.4.2.2 Provide an economic impact plan which identifies: (i) the number, type and phasing of jobs to be created, highlighting the number of local jobs to be created; (ii) projected local annual payroll associated with the proposed redevelopment plan at full build-out; (iii) total projected annual sales tax revenue generated by the redevelopment at full build-out; and (iv) total estimated real property tax base associated with the proposed redevelopment plan at full build-out.

4.4.4.3 Benefits to Community. The LRA strongly encourages the hiring of Puerto Rican workers, particularly from the immediate surrounding communities of Ceiba and Naguabo. Describe the benefits the Project will provide to the community and how the Respondent plans to inform and involve the communities during the development process. Community Benefits Agreements are encouraged as a way of showing the Respondent's commitment to provide jobs and other benefits for local residents. If the Respondent contemplates entering into Community Benefits Agreements if selected, please indicate the proposed nature and extent of such agreement.

4.4.5 Part 5: Other. Respondents are asked to provide the following information.

4.4.5.1 Legal Action History. Provide a listing and brief description of all legal actions for the past five years in which any firm that is part of the Respondent's team has been: a debtor in bankruptcy; a defendant in a

lawsuit for deficient performance under a contract or failure to comply with laws or regulations; a defendant in an administrative action for deficient performance on a project or failure to comply with laws or regulations; or a defendant in any criminal action. Please clearly state if no legal action against the Respondent and Respondent team members has occurred.

4.4.5.2 Acknowledgment of Responsibilities. Respondents should specifically acknowledge and address the responsibilities listed on this RFP, which will be further delineated in the agreed upon Lease and Development Agreement.

4.5 Deadline for Proposals. All Proposals must be received by the LRA prior to 5:00 PM AST on August 11, 2022. All Proposals must contain one (1) signed original, seven (7) copies, and one (1) electronic copy on USC Drive. The materials shall be submitted in sealed packages and addressed to: Local Redevelopment Authority for Naval Station Roosevelt Roads, Comercio y Exportación Building, #159 Chardón Ave. 3<sup>rd</sup> Floor, Hato Rey, PR 00918. The sealed package should be labeled with the Respondent's name, address, and contact person, and will be time-stamped upon receipt. Electronic, telegraphic and facsimile offers and modifications will not be considered without express prior written authorization. Any Proposal received after the time and date specified above may be rejected and may be returned to the sender unopened.

Communications Restrictions. From the date this RFP is issued to the date the Preferred and Alternate Proponents (if any) are selected and announced, all contact related to this RFP between the Proponents and LRA staff (except via the email address set forth in section 1.6) is prohibited. No information about the evaluation process will be provided after the proposals are submitted until the selection, if any, is made.



## 5. Selection Criteria and Process

The RFP's main objectives are to (i) create new economic development opportunities for Puerto Rico's Eastern region and (ii) to generate long-term, recurrent income for the LRA in the form of rent fees and percentage of revenue. The LRA will evaluate the proposals and make its selections based on these objectives and according to the criteria shown on **Table 5**:

5.1 Evaluation Factors. Respondents will be evaluated based upon the evaluation factors listed below. All Respondents will be evaluated based on the strength of their entire proposal as compared with the criteria listed below, along with balancing the best interests of the LRA. Information provided within the Proposals, interviews, responses to questions, best and final offers, and any other information obtained by the LRA may be considered during the evaluation.

<b>Factor 1: Development Concept</b>	<ul style="list-style-type: none"> <li>• Proposal presents a financially stable, market-viable and concrete ideas for the Project that is compatible with the 2014 Development Zones Master Plan; and complies with the Roosevelt Roads ROTFU.</li> <li>• Proposal presents a credible and viable Project Timeline, with clear milestones that complies with the Conditions Precedent Period, the Construction Schedule and the Operational Phase of the Project.</li> <li>• Proposal's Executive Summary and Conceptual plans demonstrate an understanding of the LRA's goals and presents a clear plan for implementation.</li> <li>• Environmental considerations <ul style="list-style-type: none"> <li>◦ Proposal manages to demonstrate a thorough understanding of the Management of Environmental Restrictions per <u>Exhibits E-0 through E-6</u>. Conceptual Plans shows understanding of the environmental restrictions on the site.</li> <li>◦ Proposal includes a sustainable design approach that considers the development and the operational phase of the project.</li> </ul> </li> </ul>	<b>25%</b>
<b>Factor 2: Qualification and Past Performance</b>	<ul style="list-style-type: none"> <li>• Proposal demonstrates, through the experience and expertise of proposed key personnel and past projects, that the proposed Project Team is qualified to execute the proposed development plan.</li> <li>• Proposal demonstrates that the Project Team members had successfully completed, within their respective disciplines, projects of a similar scale and scope to the proposed Project.</li> <li>• Proposal provides evidence of the Project Team's organizational and financial capability to ensure successful and timely delivery of the Project.</li> <li>• Proposal shows that the Project Team is well-organized, has clear management structure, and has experience working together on similar projects.</li> </ul>	<b>20%</b>
<b>Factor 3: Financial Capability and Strategy</b>	<ul style="list-style-type: none"> <li>• Proposal demonstrates that the Proposed Project is a financially viable. The financial information demonstrates that the development costs of the project will inject a significant amount of money into the region and the municipality of Ceiba.</li> <li>• Proposal includes evidence of Developer financial resources (capital) and commitments to execute the Project.</li> <li>• Proformas are included and completed. Included information is valid and reasonable.</li> </ul>	<b>25%</b>

	<ul style="list-style-type: none"> <li>• Proposal Certification Form and Proposed Consideration Certificate are signed and included.</li> <li>• Proposal acknowledges and includes a No Financing Contingency</li> </ul>	
<b>Factor 4: Local Impact</b>	<ul style="list-style-type: none"> <li>• Proposal demonstrates how the proposed components of the Project will improve the quality of life for the surrounding communities of Ceiba, and the region.</li> <li>• Proposal includes a solid <i>Communication and Outreach Plan</i> that involve community members that responds communities' concerns through the development and operational period.</li> <li>• Proposal includes detailed information regarding job creations <ul style="list-style-type: none"> <li>○ Forecasted direct jobs</li> <li>○ Forecasted indirect jobs</li> <li>○ Forecasted induced jobs</li> </ul> </li> </ul>	<b>15%</b>
<b>Factor 5: Consideration to the LRA</b>	<ul style="list-style-type: none"> <li>• Proposal includes a completed and signed <u>Exhibit C-3: Economic Consideration to the LRA</u>: <ul style="list-style-type: none"> <li>○ Interim Rent</li> <li>○ Stabilization Period Rent</li> <li>○ Operational Period Rent</li> <li>○ Percentage of Gross Revenue</li> <li>○ Throughput fee</li> <li>○ Dockage fee for Pier 1</li> <li>○ Percentage Participation in Capital Events</li> </ul> </li> </ul>	<b>15%</b>

Table 5 Evaluation Criteria

5.2 Oral Presentations. The LRA, at its sole discretion, may require all or a short-listed group of the Respondents to participate in oral presentations. Details regarding the date, format, and other logistics for oral presentations will be provided to Respondents at a later date.

5.3 Best and Final Offer. If Respondents are asked to submit a "Best and Final Offer" (BAFO), Respondents are expected to adhere to the additional guidance of the LRA and submit a final revised Proposal for the LRA's final consideration. Upon receiving the BAFO, the LRA reserves the right to conduct additional rounds of requests for information, interviews, and request further discussions and negotiations if the BAFO lacks adequate information to make a final selection.

5.4 Respondent Selection Process. A phased process has been established by the LRA for selecting a Respondent to proceed with the Project.

5.4.1 This Phase 1, the Request for Proposals ("RFP") stage, requires the submissions of Proposals and, if requested by the LRA, participation in interviews or submission of responses to questions or a Best and Final Offer. At the completion of Phase 1, the LRA will select one or more Respondents to participate in Phase 2.

5.4.1.1 A Bid Security Deposit of US\$50,000 is a requirement of this RFP. This payment –in the form of a certified or manager's check- will be required from the Preferred Proponent within five (5) calendar days after the selection announcement date. This deposit (bid bonds are not acceptable substitutes) is non-refundable and acts as a guarantee of the Proponent's good faith intention to negotiate and execute a Development Agreement with the LRA. The amount of the Deposit will be credited as part of the rent fees after the Development Agreement is executed.

In the event that the negotiation between the original Preferred Proponent and the LRA is unsuccessful and upon notification from the LRA, the next Alternate Proponent will be considered as a Preferred Proponent and be required to submit its own Bid Security Deposit. The Bid Security Deposits can be returned to a Preferred Bidder only if the following justifiable reasons occur: (i) act of god that changes the physical conditions of the Tank Farm elements, (ii) discovery of a previously unknown condition of environmental or legal nature that makes the Tank Farm premises unusable, (iii) in the event that the RFP process is cancelled unilaterally by the LRA, or (iv) by the sole discretion of the LRA.

5.4.2 Phase 2 will entail the exclusive negotiation with one or more Respondents selected by the LRA for a specified period of time. If successful, exclusive negotiations will terminate upon the execution of an agreed upon Lease and Development Agreement. The selected Proponent must furnish all applicable insurance and bonds when requested by the LRA as part of the execution of the Development Agreement.

In order to obtain the most advantageous agreement for the Authority and for the Commonwealth of Puerto Rico, individual negotiation may be used as an additional evaluation method. Additional aspects such as terms, conditions, quality, solution, economic benefits, maintenance, among others, may be negotiated. All aspects will be negotiated together as a whole, considering that the economic aspect will not necessarily be the one with the greatest weight in the award. However, it can be awarded without individual negotiation.

The notification of the award of this proposal will not constitute the formal agreement between the parties. It will be necessary to execute the corresponding agreement by the authorized person.

5.5 Respondent Selection Timeline. The LRA's expected timeline for selection of the Respondent(s) is set forth in the tables below. Please note that the activities and timetable are only a guide and are subject to change at the LRA's sole discretion.

Phase 1 for Respondents	
• Issuance of the RFP	June 16, 2022 5:00pm
• Registration Form	June 30, 2022 5:00pm
• Mandatory Pre-submittal meeting, Property Tour/Site Visit	July 7, 2022 10:00am
• Deadline for Questions on the RFP	July 28, 2022
• Deadline for Posted Responses to Questions	August 4, 2022 5:00pm
• Proposal Deadline	August 11, 2022 5:00pm
• Presentations by Respondents if required	TBD
• Selection of top Respondent	On or about September, 2022

Table 6 RFP Schedule

## 6. Miscellaneous Terms and Conditions Applicable to All Respondents

6.1 Legal Requirements. Respondents are responsible for complying with all legal requirements set forth in Exhibit C-1.

6.2 Familiarity with LRA's Redevelopment Goals and Objectives. The LRA assumes that the Respondents are fully informed and familiar with the contents of the RFP, including all exhibits attached to the RFP. Respondents who submit a Proposal are responsible for becoming fully informed regarding all circumstances, information, laws and any other matters that might, in any way, affect the Respondent's roles and responsibilities in the Project. Any failure to become fully knowledgeable of any other matters that might, in any way, affect the Project will be at the Respondent's sole risk. The LRA assumes no responsibility for assumptions or conclusions made by Respondents on the basis of information provided in this RFP or through any other sources. Respondent must complete and issue a Proposal Certification Form, attached hereto as Exhibit C-2.

6.3 Questions and Information. Any questions, requests for clarification, and general information requests must be sent by e-mail to the LRA at [lradevelopment@lra.pr.gov](mailto:lradevelopment@lra.pr.gov) in accordance with the deadlines set forth above; no telephone inquiries will be accepted. The LRA will provide all prospective Respondents with copies of any questions it receives and any answers, clarifications and/or information it provides in response thereto. Such information will be posted on [www.rooseveltroads.pr.gov](http://www.rooseveltroads.pr.gov) on the RFP Fuel Tank Farm section. Only written responses posted on the website will be considered binding.

6.4 Reference Documents. To assist Respondents in preparing to respond to this RFP, the LRA has created a website at [www.rooseveltroads.pr.gov](http://www.rooseveltroads.pr.gov). The website contains all exhibits and other documents which will be of assistance in the development of the Proposals.

6.5 Amendments to this RFP. This RFP may be amended by formal amendment, document, or letter. If this RFP is amended, then all terms and conditions that are not amended remain unchanged. Any amendments will be posted on [www.rooseveltroads.pr.gov](http://www.rooseveltroads.pr.gov) on the RFP Fuel Tank Farm section and sent to registered participants by email.

6.6 Authorizations by Proposal. Any and all information provided by a Respondent and its team members may be used by the LRA to conduct credit and background checks. The Respondent agrees to execute any additional documentation requested by the LRA to evidence this consent. At its discretion, LRA staff may contact references and industry sources, investigate previous projects and current commitments, interview some or all of the proposed team members, and take any other information into account in its evaluation of the responses. The LRA reserves the right to request clarifications or additional information and to request that Respondents make presentations to the LRA, community groups, or others.

6.7 Teaming Arrangements and Special Purpose Entities. Multiple Respondents may form a joint venture for the purpose of submitting a Proposal. The LRA may require that financial and performance guarantees be provided by the Respondent as well as team members. (Note: the LRA will not be involved in facilitating partnering or teaming arrangements.) When a joint venture will be utilized, please present information for both entities and include with your Proposal a copy of the legal documentation establishing the joint venture.

6.8 Hold Harmless. By participating in this RFP process, each Respondent agrees to indemnify and hold harmless the LRA and its officers, employees, contractors and advisors from and against any and all real

estate and other brokerage fees or commissions, finder's fees, and any other forms of compensation related in any way to activities undertaken by any person as a result of such person's efforts towards and/or participation in this RFP process or the submission by such person of a proposal, and liabilities, losses, costs, and expenses (including reasonable attorney's fees and expenses) incurred by any indemnified party as a result of, or in connection with, any claim asserted or arising as a result of, or in connection with, this RFP process. This includes any and all activities related to the LRA's exclusive negotiations with the selected Respondent(s).

6.9 Public Information. All information submitted in response to this RFP becomes property of the LRA. The documents and other records submitted to the LRA are part of the public record and subject to public disclosure; accordingly, information submitted should be expected to be subject to public availability. Therefore, any response submitted which contains confidential information must be conspicuously marked on the outside as containing confidential information, and each page upon which confidential information appears must be conspicuously marked as containing confidential information.

6.10 Organizational Conflicts of Interest. Each Respondent should clearly identify in its Proposal any person or entity that has assisted the Respondent to prepare its Proposal that has advised, or is currently advising, the LRA on any aspect of the redevelopment at NSRR.

6.11 Other Terms and Conditions. Law No. 508 and its regulations, as well as all applicable Puerto Rico and Federal laws and regulations, will govern this RFP and all agreements entered into in connection with this RFP.

6.12 Not a Contract. This RFP does not constitute an offer to enter into a contract with any individual or entity, thus no contract of any kind is formed under, or arises from, this RFP.

6.13 Confidentiality of Information Associated to LRA. Information associated to the LRA or a government entity obtained by the Respondents as a result of participation in this RFP is confidential and must not be disclosed without prior written authorization from the LRA.

6.14 Reservation of Rights. The LRA reserves the right, in its sole and absolute discretion, to:

6.14.1 Change or amend the business opportunities described in this RFP;

6.14.2 Cancel or suspend this RFP process or any or all phases, at any time for any reason;

6.14.3 Accept or reject any Proposal based on the selection criteria and as determined by the discretion of the LRA;

6.14.4 Waive any defect as to form or content of this RFP or any response thereto;

6.14.5 Not accept any or all Proposals;

6.14.6 Select one or multiple developers that will best meet the LRA's needs and objectives, regardless of differences in fees and expenses among Respondents to this RFP;

6.14.7 Reject all or any Proposals without any obligation, compensation or reimbursement to any Respondent or any of its team members; and

6.14.8 Extend any date, time period or deadline provided in this RFP, upon notice to all Respondents.

6.15 Restriction of Damages. Each Respondent agrees that:

6.15.1 In the event that any or all Proposals are rejected, or this RFP is modified, suspended or cancelled for any reason, neither the LRA nor any of its officers, employees, contractors or advisors will be liable, under any circumstances.

6.15.2 By participating in this RFP process, each Respondent agrees to indemnify and hold harmless the LRA and its officers, employees, contractors and advisors from and against any and all real estate and other brokerage fees or commissions, finder's fees, and any other forms of compensation related in any way to activities undertaken by any person as a result of such person's efforts towards and/or participation in this RFP process or the submission by such person of a proposal, and liabilities, losses, costs, and expenses (including reasonable attorney's fees and expenses) incurred by any indemnified party as a result of, or in connection with, any claim asserted or arising as a result of, or in connection with, this RFP process. This includes any and all activities related to the LRA's exclusive negotiations with the selected developer(s).

6.16 Disclosure.

6.16.1 As required by Law No. 508, the information submitted by the Respondents will be published on the Internet once the contract is adjudicated, with the exception of the information identified as confidential.

6.16.2 All public information generated in relation to the process, including communications with the media and the public, must be coordinated with, and is subject to prior approval of the LRA.

6.17 No Obligation to Accept Proposals. The LRA is not obligated to accept a Proposal where, at the discretion of the LRA, it is not in compliance with the requirements of this RFP; or it includes a false or misleading statement, claim or information; or background checks reveal any false statements in the Proposal.

6.18 No Collusion or Fraud. Each Respondent is held responsible to ensure that its participation in this RFP process is conducted without collusion or fraud.

6.19 Protest and Reconsideration. Any Proposer adversely affected by a notified decision made by the LRA in connection with the selection and award procedures provided in this RFP may submit a request for reconsideration to the Executive Director of the LRA at Local Development Authority for Roosevelt Roads, 355 F. D. Roosevelt Ave., Hato Rey, PR 00918, in accordance with Local Redevelopment Authority Request for Proposals Regulation, Num. 9366, Section 27.00. A request for reconsideration, and any other protest, shall be in writing, and state the name and address of the requesting party, shall contain a detailed and accurate statement of the legal and factual grounds for the request, including copies of relevant documents, and shall specify the relief requested. Protests based on alleged restrictive specifications, violations of law or regulations, or other alleged improprieties in the solicitation process which are apparent prior to the proposal due date shall be submitted not later than five (5) working days prior to the proposal due date.

A request for reconsideration or other protest that fails to comply with the time limits or procedures stated above or provided in the applicable laws or regulations may be dismissed or denied without consideration.

Judicial review of the determinations made by the LRA will be governed by Chapter IV of Act No. 38 ("Ley de Procedimiento Administrativo Uniforme del Gobierno de Puerto Rico") of June 30, 2017, as amended. A request for judicial review shall not stay the further action of the LRA relating to the Procurement Process.