

**Request for Developer Qualifications
for Transit-Oriented Development**
El Cerrito Plaza BART Station

July 21, 2020

San Francisco Bay Area Rapid Transit District
Real Estate and Property Development Department
300 Lakeside Drive, 22nd Floor Oakland, CA 94612





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Project Website: www.bart.gov/TODE|CerritoPlaza

RFQ Schedule

BART Issues RFQ	Tuesday, July 21, 2020
Pre-Submittal Conference	Tuesday, August 4, 2:00pm
Networking Session (pre-registration required)	Monday, August 10
Final Questions & Requests for Clarification Due	Tuesday, August 11
BART Response to RFQ Questions/Clarifications	Thursday, August 20
Statement of Qualifications Due	Wednesday, September 9, 4:00pm
Interviews Conducted (approximate)	Week of October 5
Board Considers Authorization to Enter into ENA	Thursday, November 19, 2020



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I. INTRODUCTION

The San Francisco Bay Area Rapid Transit District (“BART”) is pleased to announce the availability of property it owns at the El Cerrito Plaza BART station (the “Station”) for private, transit-oriented development (“TOD”). This property offering (“Property”) includes four parcels with a combined area of approximately 8.3 acres in the City of El Cerrito (the “City”), the general location of which is depicted in Figure 1. The BART Property is in the southern portion of the City and is generally bounded by Willow Street to the north, Fairmount Avenue to the south, and Richmond and Liberty Streets to the east and west. The Property is approximately three blocks east of San Pablo Avenue, a major north-south corridor, and is immediately north of the El Cerrito Plaza Shopping Center. Existing single family and small multifamily neighborhoods bound the property on the north and east sides.

BART is soliciting qualifications to select a developer who will work jointly with BART, the City of El Cerrito, and the community to establish, build, and manage a feasible development program on the Property near the El Cerrito Plaza BART station.

BART intends to enter into an Exclusive Negotiating Agreement (“ENA”) with a developer or developer team (“Selected Developer”) for a mixed-use, mixed-income development on the Property (the “Project”). If a proposed development concept and term sheet resulting from this ENA is approved by the City and BART Board of Directors, BART and the Selected Developer will negotiate and enter into a ground lease agreement for a duration to be negotiated during the ENA process. Per BART policy, BART no longer sells its property for transit-oriented development.



Figure 1: Location of El Cerrito Plaza BART Station

II. SUMMARY OF THE OFFERING

A. Property and Site Description

The Property generally consists of four parcels, as depicted in Figures 2 and 3, which are currently utilized mostly as parking for BART patrons (approximately 750 parking spaces) and also include the BART tracks and station. BART does not intend to lease the areas essential to its operations; the Selected Developer will be responsible for undertaking parcel subdivision(s) in order to separate the area to be leased from the remainder of the Property.



Figure 2: Aerial View of the BART Property

In addition, the Property includes bus bays immediately adjacent to the Station, passenger pick up and drop off facilities, taxi parking, bicycle parking and a portion of the Ohlone Greenway (“Greenway”), a 5.3-mile pedestrian/bicycle path. These uses will generally need to be retained on site but could be reconfigured in the design of the project if agreeable to both BART and the Selected Developer, and

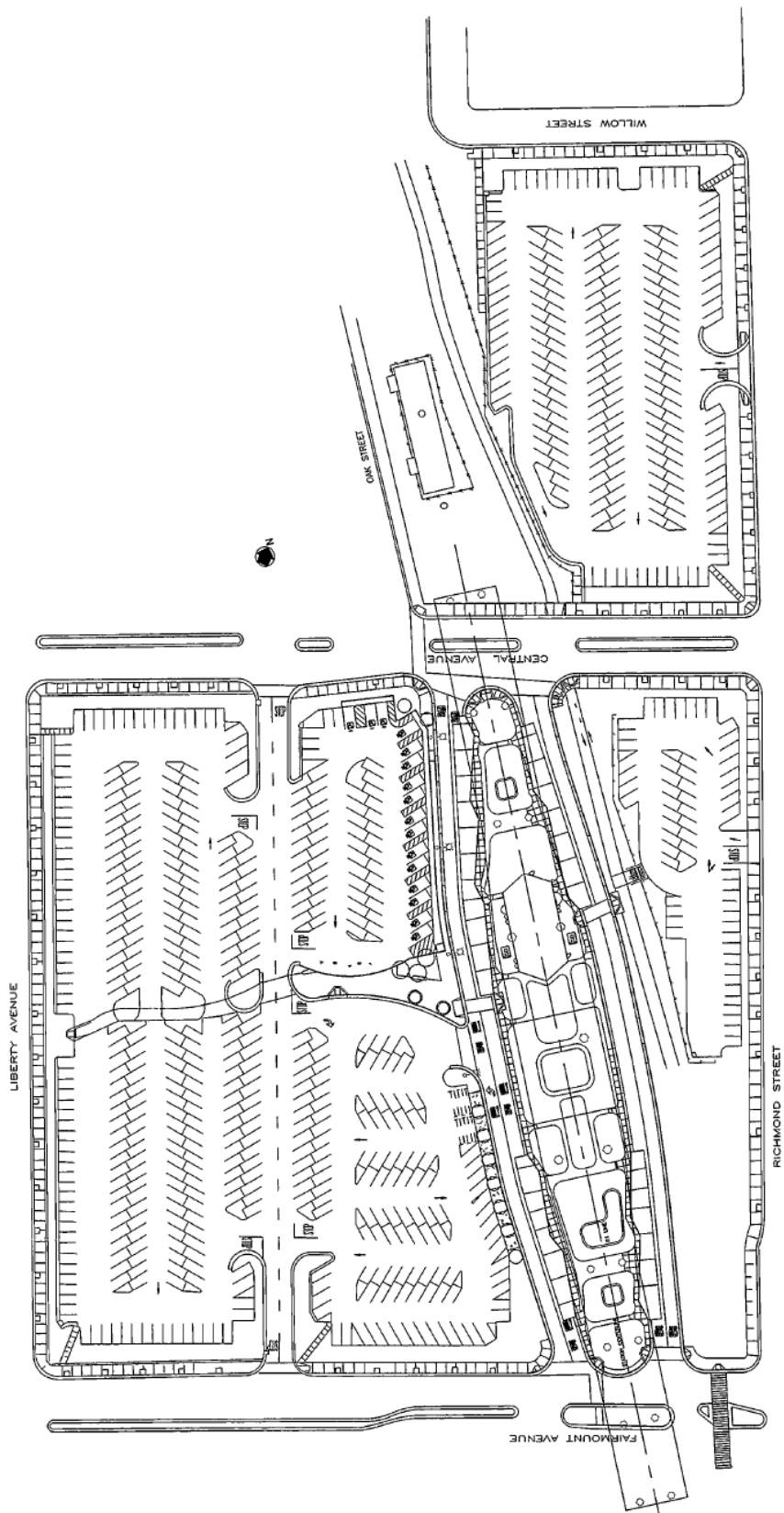
may be excluded from the leased area. In addition, an emergency vehicle access buffer of at least 30' must be maintained on either side of the elevated platforms and rail facilities.

Table 1: BART Property Summary

Parcel	A	B & C	D
<i>APN</i>	504-050-012-5	504-130-031-9 & 504-122-010-3	504-121-017-9
<i>Acreage (est.)</i>	1.6+/-	4.4+/-	2.3+/- (incl. station area to be parceled off)
<i>Current Use</i>	205+/- parking spaces, bike lockers	480+/- parking spaces including car share parking; bus bays; passenger loading	55+/- parking spaces; BART station & tracks; roadway; bus bays; taxi parking; Ohlone Greenway; bike lockers

Parcels B, C, and D of BART’s offering lie within the City’s San Pablo Avenue Specific Plan area, adopted by the City of El Cerrito in 2014. The plan, described in detail in Section IV (A) below, “creates a framework for transforming the Avenue into a multimodal corridor that functions not just as a thoroughfare, but as a place that provides a multitude of opportunities for living, working and community life.” The City is currently completing a minor update to the plan as described in Section IV.A.

A Phase I Environmental Site Assessment Report was completed July 9, 2020 and found that there did not appear to be any Recognized Environmental Conditions on the site that warranted Phase II work. This report is available at www.bart.gov/TODElCerritoPlaza for informational purposes only; it is not to be relied on by the Selected Developer or any other party.



EL CERRITO PLAZA STATION - CNP
"R" LINE - STATION R-40
PATRON PARKING
6699 FAIRMONT AVENUE EL CERRITO, CA. 94530
CAD01818 PAGE 2 OF 2 REV 1

Figure 3: Schematic Plan View of the BART Property



B. Site Goals & Objectives

BART's Goals and Objectives for this Project are summarized on the following page. These are not requirements for the Project, but are intended to make BART's desired expectations clear, and guide the Project from solicitation through construction. In addition to BART Board review, these Goals & Objectives were reviewed and approved by the El Cerrito City Council on November 19, 2019.



El Cerrito Plaza Transit-Oriented Development BART Goals & Objectives

A. Complete Communities

1. **Regularly engage with the community** in the development of the project and associated access investments, and trade-offs between parking, housing and community amenities.
2. **Enhance the Ohlone Greenway's role** in increasing connectivity, sustainability and placemaking.
3. **Create visual and physical connection** between the BART station, adjacent neighborhoods, and shopping/services in El Cerrito Plaza, and along San Pablo Avenue and Fairmount Avenue.
4. **Create an active ground floor on Fairmount Avenue**, with a mix of uses that complements and leverages the surrounding area and generates revenue to the City and BART. Consider integration of office as part of site development.
5. **City to manage area parking** – with BART's support - to ensure neighborhood and business needs can be met.
6. **Explore options for integrating a public library** into the TOD in partnership with City.

B. Sustainable Communities Strategy

1. **Deliver community serving facilities and dense residential mid-rise uses at the station** to support envisioned growth in the "San Pablo Avenue Corridor" Priority Development Area and the San Pablo Avenue Specific Plan.
2. **Address the regional housing need** while simultaneously helping the City put in place transportation management tools to avoid potential congestion and traffic impacts of population growth.
3. **Incorporate green and sustainable design** to minimize vehicle- and building-related greenhouse gas emissions.

C. Ridership

1. **Increase BART ridership at times and locations when BART has capacity.**
2. **Attract BART patrons from the larger San Pablo Avenue Specific Plan area** and beyond through sustainable access alternatives.

D. Value Creation & Value Capture

1. **Deliver a feasible development** that generates long term revenue to support BART and City operations.
2. **Participate in any future area-wide financing efforts** (such as a developer supported set up of a parking benefit district, enhanced infrastructure financing district or business district) to capture value changes resulting from TOD to support community amenities and other investments.
3. **Leverage innovative third-party funding and financing options** that deliver TOD-related BART infrastructure and programming.

E. Transportation Choice

1. Per BART's Access Policy, **increase the share of patrons who walk, bike, or take transit to BART** through access improvements that offer safe, viable non-auto alternatives to BART patrons, including accessible demand responsive services.
2. **Minimize the need for BART patron parking replacement** in an on-site garage by exploring and developing other parking and access options for patrons who do not live near the station, and by maximizing the use of existing available parking capacity in close proximity to the station.
3. Per BART's TOD Policy, develop an **Access Plan** to identify future access needs and strategies to implement them.
4. **Enable new residents of the development to reduce their reliance on cars** by providing transportation alternatives through GreenTRIP certification or equivalent on site transportation demand management.
5. **Expand the pedestrian and bicycle network** – particularly connecting to the Ohlone Greenway – to support the City and BART's active transportation goals.
6. **Embrace the rapid evolution of mobility trends and technologies** to adapt to future transportation needs.

F. Affordability

1. **A minimum of 20% of housing units will be affordable** to low and very-low income households or below. Support BART's 35% systemwide affordability goal by aiming for a higher percentage of affordable units.
2. **Support local economy through project labor agreements** for construction of project. Aim for Small Business Enterprise inclusion in design and construction of the TOD.



C. Library Feasibility

The City of El Cerrito is in the process of identifying sites and strategies to build a new, modern library. The existing library at 6510 Stockton is 6,500 square feet and was last expanded in 1960. Incorporating the new library into the Project has emerged as one possible strategy. The library is envisioned to be approximately 21,000 SF, and the City is requesting 63 spaces of dedicated library parking be considered as a part of any new library facility. As part of the Submittal Requirements herein, respondents are asked to provide two preliminary development concepts and site plans, one with a 21,000 square foot library and associated parking, and one without.

The City does not have identified funding for the new library at this time, and other sites are also being considered. During the early part of the project refinement phase, the Selected Developer will provide high-level cost estimates such that the City can evaluate to determine whether to proceed with the library, and the BART Board can evaluate the trade-offs associated with integration of a public library into the TOD.

D. System Context

El Cerrito Plaza station is served by two BART lines serving the following terminus points: Richmond, Millbrae, and Berryessa/North San José (see Figure 4). These lines offer one-seat service to destinations including Downtown Berkeley, Oakland and San Francisco. When the BART extension to the South Bay is completed (estimated 2026), El Cerrito Plaza will also have one-seat service to new stations at 28th Street/Little Portugal in San José, Downtown San José, Diridon Station and Santa Clara.

BART trains typically serve the Station approximately every 7.5 minutes in both directions on weekdays from 5am-8pm; every 10 minutes in both directions on weekdays from 8pm-12:30am; and throughout the day and evening on Saturdays and Sundays. (At this time, service is temporarily reduced due to the impacts of COVID-19). With BART's planned fleet expansion, service expansion, a new train control system and other system upgrades, BART anticipates that by 2026:

- Approximately 25% more peak hour train cars will serve the Station
- Trains will serve the Station on average every 6 minutes during the morning and afternoon peak periods and every 8 minutes during the off-peak periods (evenings and weekends)

From El Cerrito Plaza station, travel times by BART are 29 minutes to the Embarcadero station in downtown San Francisco, 19 minutes to 19th Street/Oakland station, and 5 minutes to the Downtown Berkeley station.



Figure 4: Current BART System Map

E. Station Area Context

El Cerrito Plaza station sits within the boundaries of the City of El Cerrito; the City is strongly supportive of transit-oriented development and entered into a Memorandum of Understanding (MOU) with BART in February 2018 to explore development of the Property and feasibility of a library on the property.

While the topography immediately around the Station is relatively flat, there is a major topographic change approximately half a mile east of the Station characterized by steep grades (see Figure 5).

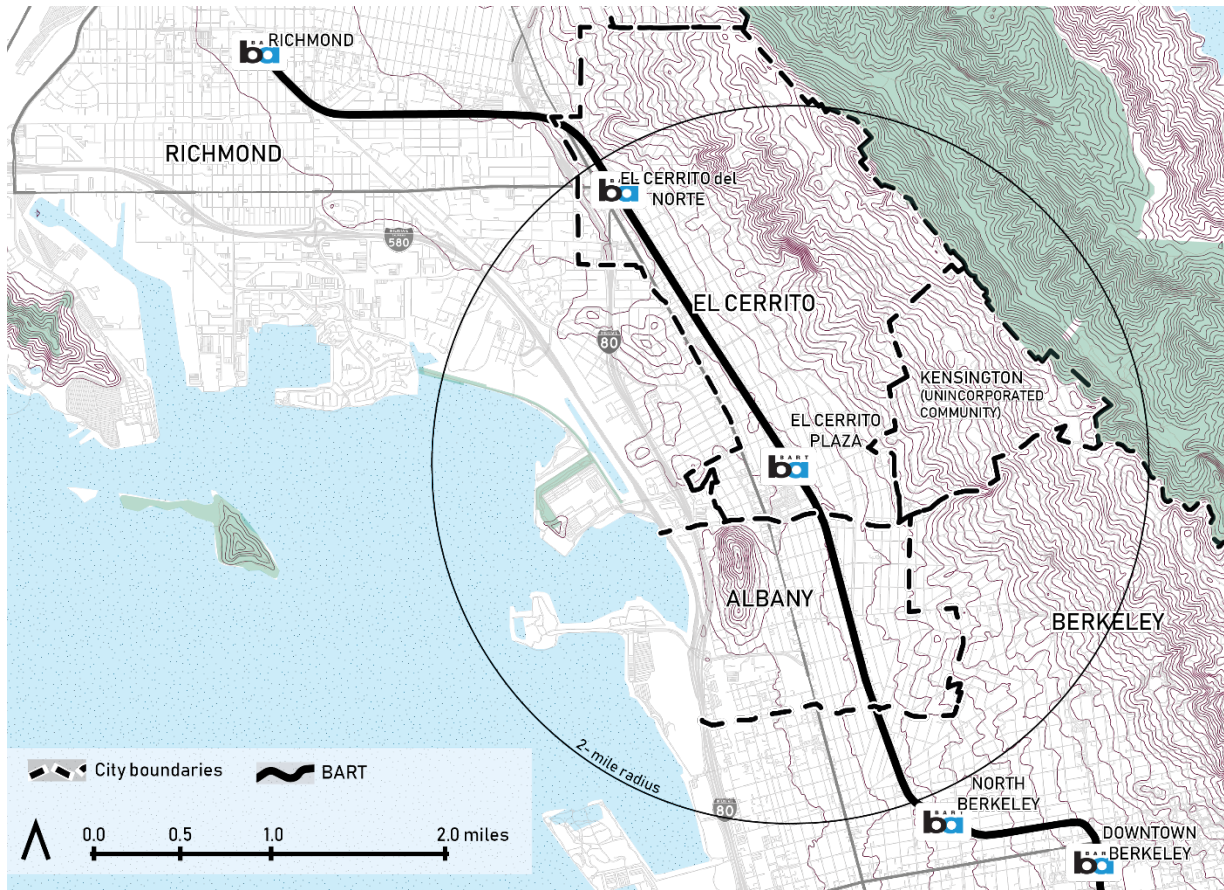


Figure 5: City Boundaries and Topography near El Cerrito Plaza Station

The El Cerrito Plaza station is a neighborhood-serving station situated immediately north of the El Cerrito Plaza Shopping Center, which offers community-serving retail including two grocery stores, a pharmacy, and other local services. The San Pablo Avenue commercial corridor is located a quarter mile west of the Station and several schools are located within a mile of the Station. The Station serves residents of El Cerrito as well as Kensington, Albany, and Richmond to the east, south, and west, respectively. El Cerrito Plaza station is elevated and largely surrounded by residential uses ranging from single-family dwellings to four-plex multifamily, with a growing number of denser, 3- to 5-story transit-oriented housing developments to the north and west. The Station has two fare gate arrays, exiting north and south. Average weekday ridership for the El Cerrito Plaza station in February 2020 was around 4,700 entries, which is the 31st highest ridership in the 48-station BART system.

F. Station Access

BART staff will work with the Selected Developer to ensure that the site design seamlessly accommodates pedestrian, bicycle, transit, and emerging mobility connectivity with the larger area as well as parking management and passenger drop off activity. This will include the Station-specific Access Study work required as part of any future Exclusive Negotiating Agreement (“ENA”, discussed in Section III.D).

BART received a Caltrans Sustainable Communities Planning Grant to engage the City, the community, and a developer to create a strategy for a TOD with little onsite BART replacement

parking and to reduce the share of patrons arriving by single occupancy vehicle. The central questions of this work are how to integrate the TOD into the surrounding community, how to mitigate “spillover” parking, and how to provide the maximum amount of affordable housing and community benefits as part of the TOD program. To date, BART has completed an existing conditions assessment, parking surveys, and stakeholder engagement and community outreach. BART’s next steps will be to analyze the feasibility of a parking management strategy for BART patrons in coordination with the City and to conduct additional outreach.

In spring 2020, BART was awarded an additional Sustainable Transportation Planning grant from Caltrans as well as funds from the Federal Transit Administration (FTA). These grants will fund transportation demand management efforts along the Richmond line, which includes El Cerrito, as well as affordable housing finance, zoning, and economic analysis supporting development along the same corridor.

1. Current Station Access

In early 2019, BART surveyed El Cerrito Plaza customers to get an updated look at where they are coming from when traveling to the Station and how they arrive at the station. This effort went further than previous station access surveys and asked if drivers were parking in the surrounding neighborhood, and what choices would drivers make if A) there was no parking available at the Station, or B) there was parking available for a fee in the surrounding neighborhood.

Relative to other stations in the system, the El Cerrito Plaza BART station attracts patrons from a small radius. Around 82% of survey respondents live within a mile and a half of the Station. Many BART patrons living near the Station access it through active modes of transportation: walking and biking account for half of the access modal split, at 41% and 9%, respectively (see Fig. 6). As shown in Fig. 6, nearly 40% of respondents drive and park at or near the Station (mostly alone, although this number includes carpooling), including some who live only a half-mile from the Station. Eleven percent of those who drive and park are already parking in the neighborhood rather than in a station parking lot.

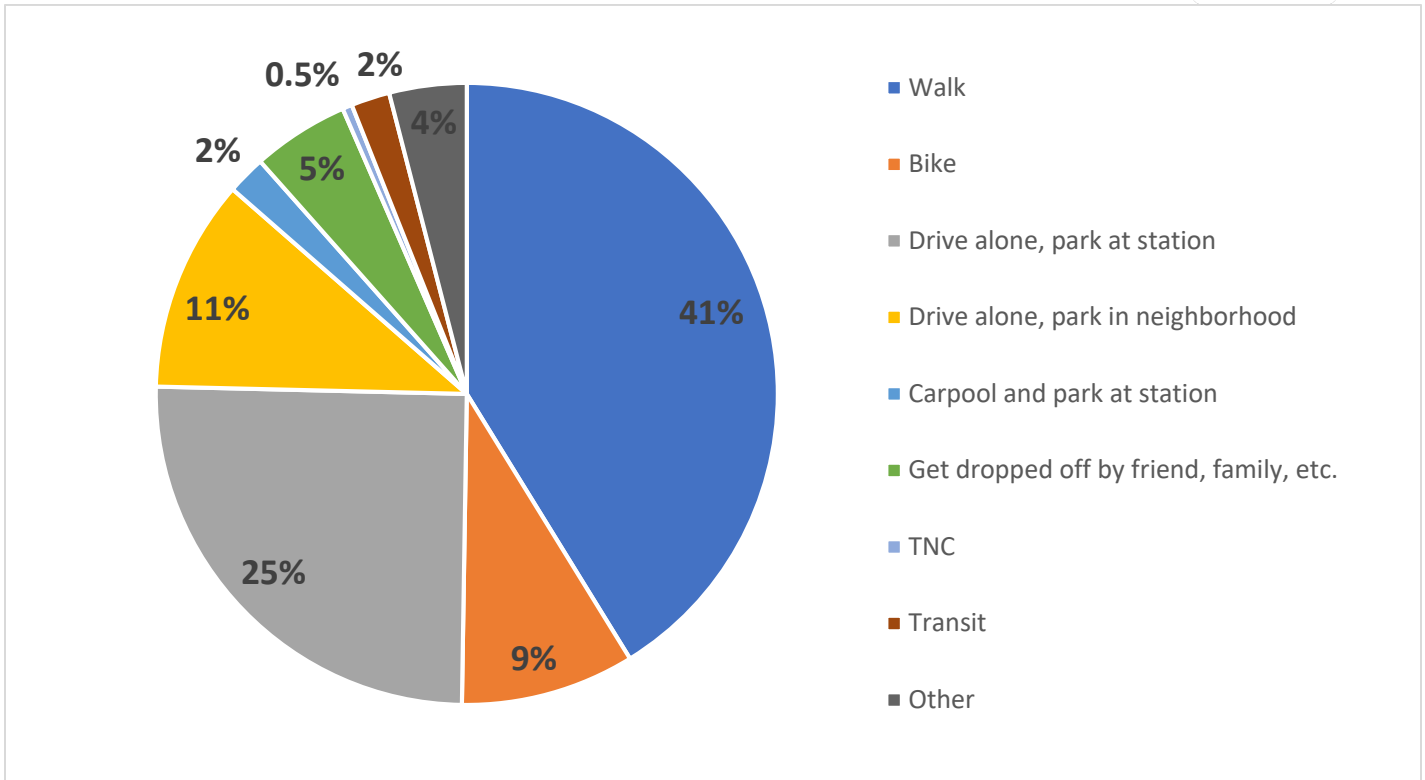


Figure 6: Mode Share for Trips To El Cerrito Plaza Station

Source: *El Cerrito Plaza Station Access Survey (January 22-24, 2019)*.

One key reason many BART patrons drive and park at the Station is the change in topography to the east of the Station. Other barriers facing customers who currently drive to the Station include childcare and school drop off and pickups, safety, and accessibility for customers with different physical abilities. The potential loss of parking is one of the key community concerns regarding the development.

Few patrons (2%) regularly access the Station by bus; the relative closeness of passenger origins to the Station, the lack of frequent bus service in the hills, and the lack of high-frequency bus lines to the Station outside of San Pablo Avenue are likely primary factors. BART’s El Cerrito del Norte station, located 2 miles north, is better-served by local and regional buses and the highway than El Cerrito Plaza, which contributes to the local-serving orientation of El Cerrito Plaza Station.

According to the most recent survey results, the passenger drop-off and Transportation Network Company (“TNC” – includes Uber, Lyft, etc.) combined activity at the Station is relatively low at around 6%. However, the [2015 Station Access Survey](#) for El Cerrito Plaza showed that 19% of people who access the Station from home were dropped off.

2. Ohlone Greenway

The Station abuts the Ohlone Greenway (see Figs. 7 & 8), a regionally significant 5.3-mile recreational path (Class I multi-use path) that runs beneath the elevated BART tracks from the city of Richmond, through El Cerrito and Albany, terminating in Berkeley. The Ohlone Greenway serves as a low-stress, major north-south bicycle and pedestrian circulation spine for commuting and recreation with dedicated

pockets of open space that connects with existing and planned network of pedestrian and bicycle facilities. Preservation and enhancement of the Ohlone Greenway will be a high priority for BART and the City of El Cerrito.



Figure 7: The Ohlone Greenway - View South and West Toward El Cerrito Plaza Station

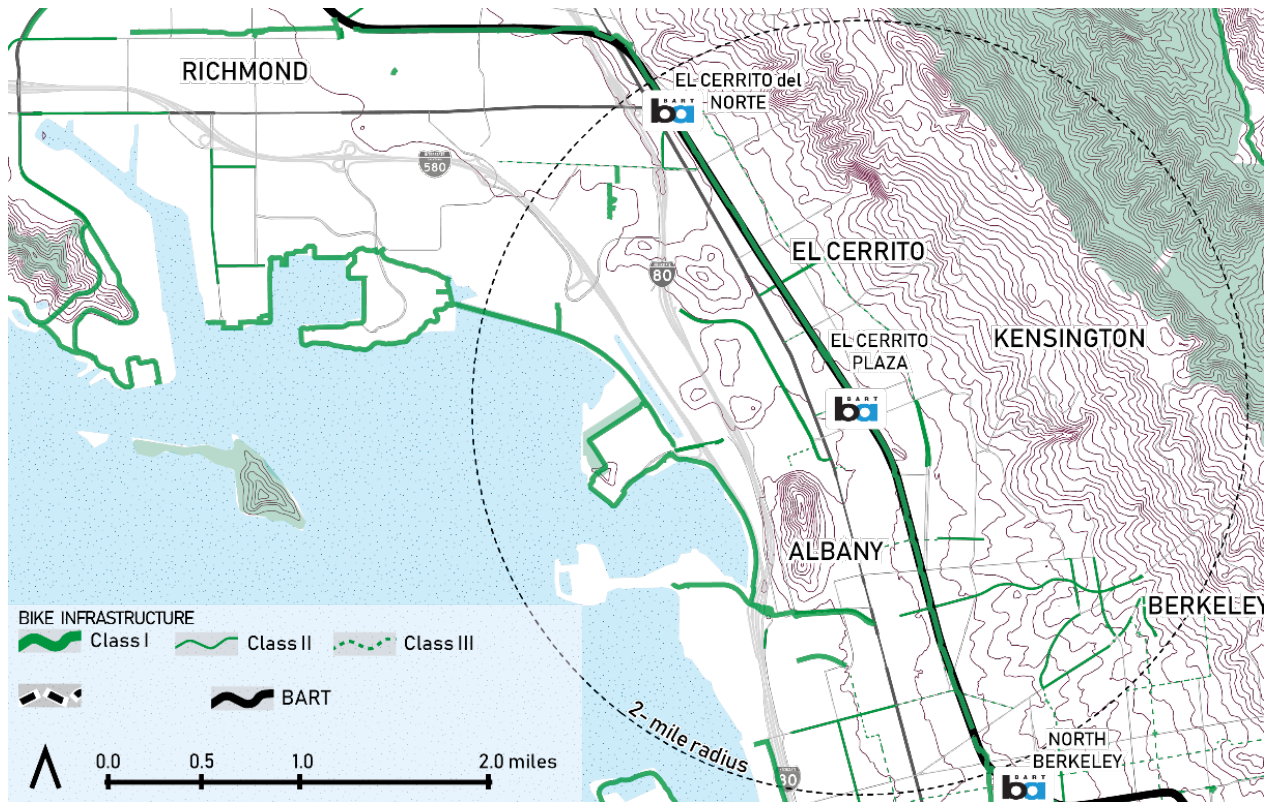


Figure 8: Bike Infrastructure near El Cerrito Plaza Station
 Source: Metropolitan Transportation Commission, Open Data: Regional Bike Facilities (2018).

3. Other Pedestrian/Bicycle Access

A dense, continuous grid sidewalk network and variety of retail services in the immediate Station area contribute to the area’s WalkScore® of 95 (“walker’s paradise”). People walk from all directions to the Station, but primarily from the east and west. Bicyclists come more commonly from the north, presumably because many of those headed for BART from south of the Station bike instead to the North Berkeley station, 2.5 miles from the El Cerrito Plaza Station, along the Ohlone Greenway.

There are close to 200 bike parking spaces at the Station: 94 bike racks and 112 secure Bike Link lockers. According to the recent survey, there is high demand for the secure bike parking, and the lack of availability of adequate secure storage is a barrier to expanding the use of privately-owned bicycles as a mode to access the Station. BART staff will work with the Selected Developer to enhance opportunities for secure bike parking as part of the future development.



Figure 9: Existing Bicycle Lockers along the Ohlone Greenway

The 2014 San Pablo Avenue Specific Plan and the 2016 El Cerrito Active Transportation Plan (see Section IV.A) call for many pedestrian improvements in the BART station area. Additionally, BART’s Draft Pedestrian and Bike Network Gap Study identifies additional improvements near the station that may be incorporated in future access strategies.

4. Transit Connectivity

There are 9 standard bus bays located on around the concourse level of the Station, serving 6 AC Transit routes, the 72, 72M, 80, 79, 71, G, and Berkeley’s Bear Transit RFS line. The locations of the route-specific bays can be found at:

https://www.bart.gov/sites/default/files/documents/station/HSP_ECP-stops.pdf

The future required number, configuration, and placement of bus bays will be confirmed as part of the Access Study and developer negotiations (see Section III.D.3). BART is open to a redesign of the existing bus facility and access roads to create a more seamless integration with the development

5. Emerging Mobility

At this time, emerging mobility alternatives that have been on the rise in many cities around the Bay Area - primarily electric scooters and both dock-based and dockless bike share and micro-transit - have not had much traction in the Station area. Bay Wheels (formerly Ford GoBike) does not operate in El Cerrito, Albany, or Richmond and the area currently also lacks any shared micromobility options. Consequently, the 2019 station access survey and BART's 2018 bike parking utilization survey indicate low use of bike share.

City staff have explored bike-share and micromobility options with representatives of various firms as well as through forums hosted by the Contra Costa Transportation Authority to increase collaboration with other communities and move micromobility forward in El Cerrito. The City recognizes that micromobility has the potential to help overcome the "first-mile/last-mile" challenge in transit and can reduce vehicle miles traveled and lessen the number of vehicles needing to park near the station. The City intends to further explore micromobility policies and regulations to facilitate implementation of these emerging technologies within the development timeline.

BART is negotiating property use agreements with dockless micromobility providers and is establishing dockless device corrals and signage at stations across the system to accommodate the growth of micromobility as a station access mode. BART staff will work with the Selected Developer to incorporate emerging mobility opportunities into the future access strategy for the development.

6. BART Patron Parking Management

- A. *BART Station Access and Patron Parking.* BART's Station Access Policy, adopted by the BART Board in June 2016, designates El Cerrito Plaza BART Station as an "aspirational" Urban with Parking Station. Aspirational station types refer to stations in a transition period from a less-dense, car-oriented urban form to denser, mixed-use, and multimodal future state. BART worked with the City of El Cerrito and considered recent planning endeavors such as the San Pablo Avenue Specific Plan in applying this aspirational Urban with Parking typology to El Cerrito. When making decisions about future resource allocation for station access, BART uses the aspirational type as the guiding principle. At Urban with Parking Stations, investments in walking, biking, and transit access are prioritized so that BART passengers are less reliant on driving and parking, whether at the station or in surrounding neighborhoods. Reducing the need for parking helps BART address these access policy goals, as well as its TOD policy goals to maximize the amount of housing on BART property (given the high construction cost and limited funding sources for providing structured BART replacement parking).

For the transit-oriented development at El Cerrito Plaza Station, BART desires to partner with a developer and the City to formulate a development plan that retains access for BART customers while reducing on-site BART customer parking, in coordination with access improvements and new area parking management strategies; sections below discuss how potential Developers should respond to parking placement in their submittals. BART will complete a station access study to make decisions about station access investments, as described in Section III.D.3, below.



B. *Parking Management.* BART and the City have been exploring the possibility of City-led parking management strategies – with BART’s support - to manage the available on-street parking capacity within ¼ - ½ mile of the Station for BART customer parking. This could be a flexible solution to cost effectively provide additional parking, and generate revenue for the City of El Cerrito. The largest concern to date regarding the parking management strategy has been reduced access for patrons who currently rely on driving and parking at the El Cerrito Plaza Station. Other concerns include impacts to surrounding City streets from spillover parking and increased traffic in neighborhoods. All of these will be central issues to the project design, to be resolved in the station access study.

III. RELEVANT BART POLICIES & PROCEDURES

BART operates approximately 110 miles of rapid rail service serving 50 stations in five counties of the Bay Area (Alameda, Contra Costa, San Francisco, San Mateo and Santa Clara Counties). BART owns over 250 acres of property and has completed 17 projects. This section describes policies and procedures guiding BART's transit-oriented development program.

A. BART Policies Affecting Transit-Oriented Development

1. BART TOD Goals and Guidelines

BART is the steward of a large-scale public investment which includes important real property assets essential to BART's operation. These assets also contribute to the ongoing financial viability of the transit system. By promoting high quality, intensive development on and near BART-owned properties, the District can increase ridership in areas where BART has capacity, support long-term system sustainability, and generate new revenues for transit. BART's Transit-Oriented Development (TOD) goals, as contained in the District's [TOD Policy](#) adopted by the BART Board of Directors on June 9, 2016 and amended April 23, 2020, consist of:

- A. *Complete Communities*. Partner to ensure BART contributes to neighborhood/district vitality, creating places offering a mix of uses and incomes.
- B. *Sustainable Communities Strategy*. Lead in the delivery of the region's land use and transportation vision to achieve quality of life, economic, and greenhouse gas reduction goals.
- C. *Ridership*. Increase BART ridership, particularly in locations and times when the system has capacity to grow.
- D. *Value Creation and Value Capture*. Enhance the stability of BART's financial base by capturing the value of transit, and reinvesting in the program to maximize TOD goals.
- E. *Transportation Choice*. Leverage land use and urban design to encourage non-auto transportation choices both on and off BART property, through enhanced walkability and bikeability, and seamless transit connectivity.
- F. *Affordability*. Serve households of all income levels by linking housing affordability with access to opportunity.

Additionally, the BART Board adopted quantifiable performance targets for the TOD Program on December 1, 2016. These targets can also be found online at www.bart.gov/TOD. Most notably, BART aims to produce 20,000 housing units and 4.5 million square feet of office/commercial space on its properties by 2040, with a goal that 35% of housing built on BART properties, or 7,000 units, will be affordable. The targets establish a system-wide parking maximum of 0.9 spaces/unit and 1.6 spaces/1,000 square feet of office for BART properties. By 2040, the targets state that $\frac{3}{4}$ of BART TOD projects will incorporate Transportation Demand Management (TDM) programs to reduce vehicle trips.

A full summary of BART’s policies and expectations related to transit-oriented development on and beyond its property can be found in the BART TOD Guidelines, available at <http://www.bart.gov/about/business/tod/guidelines>.

1. Project Stabilization Agreements, Small and Local Businesses, and Prevailing Wages

On November 17, 2011, the BART Board adopted a policy requiring Project Stabilization Agreements (PSA) with Local Hire Provisions on TOD Projects (refer to Appendix I of BART’s TOD Guidelines). The policy, in part, requires that, to the extent allowed by law, BART’s Selected Developer will enter into a PSA for construction of the Project.

BART is also committed to fostering opportunities for small and local businesses and will work with developers to facilitate connections with relevant, certified small businesses seeking to work on the Project.

Lastly, depending on the provisions of any ground lease that may be entered into relating to the Property, the construction of the development may be required to comply with the California Labor Code provisions relating to prevailing wages (Labor Code sections 1720 et seq.).

2. Affordable Housing

While the TOD Policy and Performance Targets establish a 35% affordability goal for the entire BART TOD Portfolio, the BART Board also adopted an Affordable Housing Policy on January 28, 2016. The Policy requires at least 20% of all units on BART property at any given station to be affordable, with a priority for residential units affordable to very low- and low-income households. The policy further states: “the percentage of affordable units and/or depth of unit affordability based on Area Median Income (AMI) categories in any residential developments at its stations shall be a part of the District’s assessment of RFQ/RFP responsiveness. There shall be a priority on residential units made available to very low (< 50% AMI) and low (51-80% AMI) income households.” This priority is reflected in the evaluation criteria provided in Section VII.C.

3. BART Patron Access Policy

In June 2016, the BART Board adopted a new [Station Access Policy \(PDF\)](#) to guide BART patron access practices and investments through 2025.

The Station Access Policy describes five [station types](#) on a scale from “urban” to “auto-dependent,” as well as the primary and secondary investments to be pursued for each type. Depending on the station type, investment priorities may variably emphasize improvements in biking, walking, passenger loading, or bus connection. El Cerrito Plaza station is currently a balanced intermodal access station type; BART and the City aspire for it to become an Urban with Parking access station type.

The Policy identifies the following goals:

- **Safer, Healthier, Greener:** Advance the region’s safety, public health, and greenhouse gas (GHG) and pollution-reduction goals

- **More Riders:** Invest in station access to connect more riders cost effectively, especially where and when BART has available capacity.
- **More Productive and Efficient:** Manage access investments, programs, and current assets to achieve goals at the least cost
- **Better Experience:** Be a better neighbor, and strive for an excellent customer experience, including on the first and last mile of the trip to and from BART stations.
- **Equitable Services:** Invest in access choices for all riders, particularly those with the fewest choices.
- **Innovation and Partnerships:** Be an innovation leader, and establish durable partnerships with municipalities, access providers, and technology companies.

Following the Policy adoption, the BART Board adopted [Performance Measures \(PDF\)](#) with targets to help evaluate how BART is doing in implementing the Station Access Policy. A key performance measure is the home-based access mode share target, which seeks to increase active access (access by walking and bicycling) from 44% to 52%.

4. Potential Travel Demand Management Requirements

AB 2923 requires the BART Board of Directors to adopt travel demand management requirements for development on BART-owned property. The BART Board will be considering these requirements at its August 2020 regular meeting.

B. Regional Requirement Affecting BART Properties

The Project will be required to comply with the Regional Water Quality Control Board (RWQCB) requirements set forth for both storm water quality and 100% trash capture. BART maintains a permit for storm drain management through a modified MS4 (municipal separate storm sewer system) permit issued by the RWQCB. The Project will be required to comply with all aspects of this permit and to enter into a maintenance agreement for storm water management that will include submitting annual reports and water quality sampling results for the life of the Project.

C. State Law Affecting BART Properties

In 2018, Governor Jerry Brown signed [AB 2923](#) (Chiu/Grayson, 2018), state legislation that affects zoning requirements on certain existing BART-owned property within ½ mile of stations in Alameda, Contra Costa, and San Francisco counties. AB 2923 includes two core components:

- A. *TOD Standards:* Affected local jurisdictions have until July 1, 2022 to rezone BART's property to align or exceed BART-adopted TOD zoning standards. The BART Board opted not to adopt new standards by the law's deadline of July 1, 2020, so per AB 2923, Table 1 and Figure 1 of the [TOD Guidelines \(2017\)](#) become the zoning standards. At El Cerrito Plaza, these standards call for zoning allowing buildings with 75 dwelling units/acre, 7 stories, a 4.2 floor-area-ratio, no auto parking minimums, and auto parking maximums of 0.5 spaces/residential unit and 2.5 spaces/1,000 square feet of office space. These standards are nearly consistent with the City of El Cerrito's Specific Plan zoning for the parcels south of Central Avenue (Blocks B/C, D). The parcels north of Central Avenue (Block A) currently has inconsistent zoning.

B. *Development Streamlining*: Senate Bill 35 (2017, Wiener) provides that developers may apply for expedited approval (streamlining) from local cities and counties that are not meeting certain housing-related goals, if:

- the project is at least 50% residential;
- a minimum of 20% of proposed housing is affordable to low- or very low- income households;
- the height is within one story of the tallest approved height within a ½ mile; and
- the construction plan meets required labor standards described in the bill.

Currently, El Cerrito is not subject to SB35 streamlining as it is meeting the housing goals set out in that law.

For detailed information about AB 2923, please refer to [A Technical Guide to Zoning for AB 2923 Conformance](#), the public comment draft of which was released by BART in June 2020.

D. The BART Joint Development Process

1. Exclusive Negotiating Agreement

BART and the Selected Developer will execute an Exclusive Negotiating Agreement (ENA) outlining the parties' roles and responsibilities during a 24-month period. To develop the Project, the Selected Developer is expected to entitle the BART Property through the City of El Cerrito's entitlement process during the ENA phase, discussed in Section V.

2. Other Agreements between BART and Selected Developer

Following local approval of the proposed project and subject to the successful negotiation of key terms between BART and the Selected Developer, BART staff will seek authorization from the BART Board of Directors to enter into a Ground Lease Option Agreement with the Developer. As BART service confers a range of benefits on surrounding property, and BART and the region's physical needs and interests change over time, BART's TOD Policy indicates a preference of ground leases for 66 years or less. BART expects to negotiate the terms of a ground lease with the Selected Developer.

The successful construction and operation of the project will likely require additional agreements between BART and the Developer including maintenance agreements; easement agreements; shared facilities memoranda of understanding; and other agreements to be determined.

3. Access Study

The proposed development will be built in an operating, high-capacity transit environment. Maintaining and enhancing BART customer access during and following construction is a high priority for BART. As noted above, BART's Station Access Policy calls for increasing the amount of people who travel to the system by modes other than a single-occupancy vehicle, so this study will focus in particular on infrastructure and policy improvements aimed at making it easier, safer, and faster to travel to BART by walking, biking, and taking transit. BART will lead an Access Study to be reimbursed by the Selected Developer as described in Section VIII.B of this RFQ.



The Access Study will:

- Build on the recommendations of the Caltrans-funded Sustainable Access Strategy work (in progress) to finalize recommendations for replacement parking and parking management policies
- Identify and inventory existing and future Station Access needs related to bicycle, pedestrian, transit access, passenger loading – including private vehicles, taxis and TNCs – and BART operational needs.
- Identify on-site pedestrian and bicycle circulation enhancements required to ensure long term functionality and capacity of the Station entrances.
- Identify on-site and wider area (approx. 1 mile for bike and ½ mile for walk) multimodal transportation improvements/opportunities to ensure the Project maintains and enhances access from the community to the Station (with a focus on walk, bike, transit and emerging mobility access strategies).
- Assess potential transit benefits that could be leveraged from the Project to make it easier, faster, and cheaper to take transit to El Cerrito Plaza station.
- Identify transportation demand management plan to reduce project parking demand and minimize project-based vehicle miles traveled.
- Prioritize among possible improvements to identify those to be provided by the Selected Developer in its project, and develop a funding strategy for remaining enhancements.

Once the Selected Developer has submitted a conceptual development plan to BART, a second phase of the access study will evaluate the ability of the plan to accommodate the access needs identified through the process outlined above, with consideration to financial feasibility of the project, potential grant and other subsidy sources, and accommodation of space for long term improvements that may not be made as part of the development itself.

4. Design Review

The Project will be subject to the City’s standard design review procedures described in Section V of this RFQ, subject to any relevant state laws. In addition, to the extent that the Project impacts BART service and operations (e.g. station access during and after construction, passenger safety, station and intermodal facilities, utility lines, long term facilities expansion needs), BART staff from relevant impacted departments will review the proposed design of the Project. BART’s review will include, among other considerations, conformance of any Project work impacting transit infrastructure to [BART Facilities Standards](#), and provision of adequate wayfinding signage within the Project. As with City design review, the Selected Developer is expected to reimburse BART for staff review time to address possible impacts. Review will occur at the conceptual design, final design, and construction stages of the project. To ensure expediency in the design review process, BART will provide a Basis of Design upon execution of the ENA which will offer the Selected Developer a sense of BART’s expectations for the site.



5. Grants and Financing of Public and Civic Amenities

Future transit-oriented development at the El Cerrito Plaza station may require substantial public infrastructure investments, including but not limited to replacement parking for BART patrons, new pedestrian, bicycle, transit, or vehicular access roads, and possibly a new library for the City of El Cerrito. Throughout the development process, BART is committed to working closely with the developer to seek external funding to support BART-related infrastructure needs that may result in costs above and beyond those a developer would incur on similar privately-owned property.

Additionally, if the Selected Developer and City of El Cerrito determine that incorporating a library into the development at the El Cerrito Plaza station is a top priority, it shall be the responsibility of the City of El Cerrito, in partnership with Contra Costa County, to secure the funding needed to build, operate, and maintain the library over the course of the ground lease period.

IV. RELEVANT CITY AND COUNTY PLANS

The City of El Cerrito comprises a total area of 3.9 square miles located on the eastern shore of the San Francisco Bay with a population of nearly 24,000. El Cerrito is a full-service city known for its small-town feel, excellent city services and award-winning recreation programs. It is well served by regional transportation, being home to two BART stations, major bus lines, and with direct access to Interstate 80. Developing high quality transit-oriented mixed-use development that offers housing at all income levels, provides commercial and economic development uses and amenities, and reduces vehicle miles traveled and greenhouse gas emissions is high priority for the City.

San Pablo Avenue is the City's primary transportation corridor, and the [San Pablo Avenue Specific Plan](#) has been the primary document supporting new TOD since its adoption in 2014. As of April 2020, approximately 942 new multifamily residential housing units (96 designated as affordable), 124 new hotel rooms, and 20,000 square feet of new commercial space had been approved on 13 sites on or adjacent to San Pablo Avenue. Additionally, 272 new multifamily housing units and 14,000 square feet of commercial are currently under construction. Further information about proposed, approved, and under construction projects is available on the City's [Major Projects](#) page. Additionally, the City's [Strategic Plan](#) identifies "developing a vision for underdeveloped and underutilized properties" as a key strategy to deepen a sense of place and community identity in El Cerrito. Finally, the City's ambitious [Climate Action Plan](#) also sets as a goal to "encourage more compact, higher density infill development along transportation corridors to reduce vehicle miles traveled in El Cerrito and beyond."

A. City of El Cerrito: San Pablo Avenue Specific Plan and Property Zoning

In 2014, the El Cerrito City Council adopted the [San Pablo Avenue Specific Plan](#) (Plan). The Specific Plan encourages and provides a framework for development along San Pablo Avenue and aims to increase pedestrian and transit access along this historically auto-oriented corridor. BART Parcels B, C, and D are within the Plan area, whereas Parcel A is outside the Plan area.

The Specific Plan includes a Form Based Code, a Complete Streets Plan and a Programmatic Environmental Impact Report (EIR). The EIR developed for the San Pablo Avenue Specific Plan analyzed a development pipeline of 1,706 residential units and 200,000 square feet of commercial space within the 206-acre Plan area. At this time, with the success of the Specific Plan, the City's Programmatic EIR capacity is nearing its cap and the City is currently in the process of updating components of the Plan in consideration of TOD at Plaza Station, development of other infill sites, and Regional Housing Needs Allocation.

The development standards relevant to the project site can be found in the [Form Based Code](#) (FBC) of the Specific Plan. The Specific Plan establishes development standards based on zoning designation, street type, and frontage type. Additionally, the Plan contains further standards that apply to all sites. Please refer to the Plan's Exhibit 2.01.03 for a general overview of the relevant standards of the Specific Plan, and to the Plan's Exhibit 2.01.07 for instructions on how to apply the Specific Plan to a development site.



The Plan identifies three sub-areas that are distinguished by the following characteristics:

1. Downtown: A entertainment/theater and shopping district that serves as the southern gateway to the City and located within ½ mile of El Cerrito Plaza BART;
2. Midtown: A civic, commercial and community-oriented zone with two neighborhood-scale commercial nodes; and
3. Uptown: A mixed-use, hospitality and commercial area that serves as the northern gateway to the City and located within ½ mile of El Cerrito del Norte BART station.

Plaza Station is located in the Downtown sub-area with close proximity to numerous amenities and public services including commercial/retail along Fairmount Avenue and the regional El Cerrito Plaza shopping center. Fairmount Avenue also links residents and visitors directly to the City's San Pablo Avenue "theater block", which is an emerging restaurant district anchored by the restored Rialto Cerrito theater, ACE Pastime hardware, and local restaurants, banks and services. The City's goals are to provide connectivity between the Station and these commercial/retail nodes by further expanding access and enhancing amenities for the community and businesses.

The FBC identifies the following transect zones and development standards.

1. Transit-Oriented Higher-Intensity Mixed Use (TOHIMU)
2. Transit-Oriented Mid-Intensity Mixed Use (TOMIMU)

Much of the Property, specifically BART sites B, C, and D, is in the TOHIMU zone. Site A is in the TOMIMU zone. The following table presents a summary of the development standards in the TOHIMU and TOMIMU zones.



Table 2: Development Standards in TOHIMU and TOMIMU Zones

Source: San Pablo Avenue Specific Plan, FBC Table 05

	TOHIMU	TOMIMU
Building Height		
Maximum Height	65' maximum*	55' maximum**
Minimum Height	3 Stores Residential (Except Constrained Lots) 2 Stores Commercial (Exceptions granted with CUP)	
Parking Requirements		
Commercial Buildings < 3,000 sf	No off-street parking required	
Commercial Buildings > 3,000 sf	Up to 1 auto space/1,000 sf***	Up to 1 auto space/500 sf***
Commercial Buildings	Min. 1.5 short-term bicycle spaces/3,000 sf (Min. 2 short-term spaces per establishment) Min. 1 long-term bicycle space/10,000 sf	
Residential Buildings	Up to 1 auto space/unit****	Up to 1 auto space/unit****
Residential Buildings	Min. 1 short-term bicycle spaces/10 units (Min. 2 short-term spaces) Min. 1 long-term bicycle space/unit	
Parking Areas		
Auto parking shall be located behind habitable space, underground, or on the interior of the building. Long-term bicycle parking shall be located in a secure, weather-protected place on-site. Short-term bicycle parking shall be located inside or outside the building. It will need to be visible to pedestrians and bicyclists and serve the main entrance of a building.		
Type of Auto Parking		
Shared, Stacked, Unbundled		

*85'-0" max (TOHIMU) or 65'-0" max (TOMIMU) if project is consistent as an affordable housing project, as defined by state law.

**All projects include basic Transportation Demand Management (TDM). Projects proposing 0-0.5 auto spaces/residential unit or 0-0.5 auto spaces/1,000 sf commercial (TOHIMU) and 0-1 auto space/residential unit, or 0-0.5 auto spaces/500 sf commercial (TOMIMU), may be required to perform a parking study and/or provide additional TDM measures.

Enhancing the public realm, recognizing existing neighborhoods and assets, and creating a high-quality urban environment are key goals of the Plan. The Plan's Open Space standards, View and Shadow guidelines and Standards and Art in Public Places Ordinance all support this goal. See Specific Plan Section 2.04 Development Standards and Section 2.05 Supplemental General Development Standards for more information about these requirements. High environmental performance is also a key City goal. The project site has multiple frontages and is located along a Major Commercial Street, the Ohlone Greenway and Neighborhood Streets. The Fairmount Avenue frontage has a ground floor retail requirement.

B. Impact of AB 2923

Section III.C.1 describes AB 2923 (2018, Chiu/Grayson), which amends Section 29010 of the CA Public Utilities Code in a way that will affect the zoning of BART owned properties in El Cerrito in the future. BART and the City have determined that the TOHIMU zoning, with the density bonuses

allowed for community benefits, may be closely aligned with the TOD Zoning Standard requirements of the law.

While there may be inconsistencies between current zoning and AB 2923, BART intends to work closely with El Cerrito and the Selected Developer to define a project that is acceptable to both agencies regardless of required zoning changes occurring in 2022. To reflect this commitment to collaboration, BART and the City of El Cerrito have jointly developed the Goals and Objectives for this Request for Qualifications and will be working in close partnership throughout the entitlement and development process.

C. Other Relevant Planning Efforts

Other planning efforts undertaken by the City that support the goals of the San Pablo Avenue Specific Plan include:

- [Ohlone Greenway Master Plan](#) (2009)
- [El Cerrito Strategic Plan](#) (2015)
- [El Cerrito Climate Action Plan](#) (2013)
- [El Cerrito Urban Greening Plan](#) (2015)
- [El Cerrito Housing Element 2015-2023](#) (2015)
- [San Pablo Avenue Specific Plan Multimodal Capital Improvement Program](#) (2015)
- [El Cerrito Active Transportation Plan](#) (2016)
- [Economic Development Action Plan](#) (2016)

Since the Plan's inception, the City has also adopted the following policies:

- [Affordable Housing Strategy](#) (2017)
- [Inclusionary Zoning Ordinance](#) (2018)
- [Transportation Impact Fee \(adopted 2019\)](#); current fee levels per p. 32 of [Master Fee Schedule](#).
- [West County Subregional Transportation Mitigation Program](#) (2019)

D. County-Level Projects

The Alameda County Transportation Commission (ACTC), along with partners that include the City and the Contra Costa Transportation Authority, is currently engaged in a planning effort for [the San Pablo Avenue Corridor Project](#). This project is investigating improvement to transit, bicycle, and pedestrian infrastructure on the San Pablo Avenue Corridor, which traverses seven cities. Possible improvements arising from this project could include transit stop improvements, fare-collection improvements, transit-only lanes, bike lanes, new transit stops, enhanced signals, and street geometry improvements on San Pablo Avenue and surrounding corridors.

The Developer will need to work closely with ACTC planners to maintain and enhance efficient and safe access between the Station and San Pablo Avenue.



V. CITY OF EL CERRITO ENTITLEMENT PROCESS

A. City's Role as Lead Agency and Land Use Entitlement Authority

The City will serve as lead agency pursuant to CEQA for the required environmental review. Proposed development on Parcels B, C, and D will be evaluated for consistency with the analysis in the San Pablo Avenue Specific Plan program Environmental Impact Report (EIR). If the project is determined to be consistent with the Plan EIR, no further environmental review will be required. The City will also service as lead agency for proposed development on Parcel A, which falls outside the Plan area and is in El Cerrito zoning district TOM, Transit-Oriented Mixed Use.

B. Expedited Entitlement Processing

The City anticipates that proposed development on Parcels B, C, and D will be subject to either Tier II or Tier IV Design Review pursuant to the San Pablo Avenue Specific Plan.

Tier II Design Review is intended for projects that are fully compliant with the Form Based Code of the San Pablo Avenue Specific Plan. Tier II Design Review requires consideration of the project design elements and site plan by the Design Review Board.

Tier IV Design Review is intended for projects that meet the intent of the Form Based Code but need flexibility on one or more development standards. Tier IV projects must include a public benefit that fulfils the one or more goals stated in City policy documents. Tier IV Design Review requires consideration by the Planning Commission of the public benefit, exceptions to development standards, and site plan, and consideration by the Design Review Board of the project's design elements.

Parcel A, in the TOM (Transit-Oriented Mixed Use) zoning district, is subject to the standards for that district contained in the City's Zoning Ordinance (Title 19, El Cerrito Municipal Code). Pursuant to the Zoning Ordinance, consideration by the Design Review Board is required for the design components of the project. Additionally, one or more Conditional Use Permits may be required for exceptions to standards. This would require consideration by the Planning Commission. The developer may choose to pursue a Conditional Use Permit for exceptions under the Incentives Program in Chapter 19.23 of the Zoning Ordinance.

More information about the Design Review process in the San Pablo Avenue Specific Plan area can be found in Section 2.02 (Administration of Regulating Code) of the Form Based Code.

Any questions about City policies or processes should be directed to City of El Cerrito - Planning Department, at (510) 215-4330; planning@ci.el-cerrito.ca.us; 10890 San Pablo Avenue, El Cerrito, CA 94530.



VI. SUBMITTAL REQUIREMENTS

Please submit clear and concise responses with the information requested below, including a table of contents at the front of the response. With the exception of site plans, which may be as large as 11” x 17”, submittals should be on letter sized (8 ½” x 11”) paper. Statements of Qualifications should be organized as follows.

A. Transmittal Letter

The transmittal letter should include the following information:

- Name, address, telephone and website address, etc. for the lead development entity.
- Legal structure of lead development entity or anticipated entity (e.g., corporation, joint venture, limited partnership, etc.), jurisdiction where registered, and date of legal establishment.
- Name, title, address, telephone number, and e-mail address of the person designated as the primary contact for the lead development entity.
- Names and relationships of all entities included in the Statement of Qualifications submittal (e.g., master planning architect/urban design firm, environmental consultant, community engagement consultant, etc.).

B. Development Team Summary

BART does not require respondents to identify at this time all the professionals that might eventually be involved in the Project. However, to the extent that team members can be identified to ensure your team addresses the submittal requirements, evaluation criteria, and fulfilling short term needs of the Exclusive Negotiating Agreement phase identified in the Statement of Qualifications, please do so by providing the following information for each member of your team.

1. Team members (firms) as known and an organizational chart identifying roles and responsibilities, covering essential activities to be evaluated.
2. Identification of key team members and project manager or managers, and up to a two-page resume for each of these individuals.
3. Description of core business activities of each team member.
4. Number of years in business for each team member.
5. Number of full-time employees for each team member.
6. Optional: supplemental materials such as company brochures, for each team member.

If the lead development entity is a joint venture or other legal partnership, provide information on each partner and a description of prior working relationships.

C. Small Business Participation

BART strongly encourages Small Business (SB) participation in all phases of the Project. Respondents should take all steps necessary to provide an equal opportunity for SBs to participate, including, but not

limited to performing the following during this solicitation phase and/or, if selected, throughout the development process as noted:

- Outreach to Small Businesses (solicitation/development).
- Advertise in publications anticipated to reach Small Businesses (development).
- Participate in BART sponsored networking events (solicitation/development)

On Attachment 1 please indicate the SB participation commitment offered by your team, covering both predevelopment and construction of the Project, as well as the SB certification status of the development team members listed in VI.B above. While the teams may only be identifying predevelopment firms at this point, the SB participation commitment percentage reflected in Attachment 1 is based on the overall Project cost covering both predevelopment and construction. Proposals will be scored based on the SB participation commitment percentage reflected in Attachment 1. The Selected Developer will be required to submit quarterly SB utilization reports as part of the Exclusive Negotiation Agreement requirements.

SB firms include Small Businesses and Disabled Veteran Business Enterprises (DVBES) certified by the California Department of General Services (DGS), Local Small Businesses (LSBs) certified as SBs by DGS and whose principal place of business is located in one of Alameda, Contra Costa, or San Francisco County, and Lesbian, Gay, Bisexual and Transgender Business Enterprises (LGBTBEs) certified by the California Public Utilities Commission or the National Gay and Lesbian Chamber of Commerce and certified as an SB by DGS, Additional information on SBs can be found at: www.bart.gov/about/business/ocr/programs.

BART will facilitate a Networking Session to help proposers identify firms with the experience requested at this stage. More information about the Pre-Submittal Conference and Networking Session can be found in Section IX of this RFQ.

D. Description of Relevant Experience

Please provide a description of 3 relevant projects, including at least one TOD project, completed in the past 10 years by the development team (maximum 3 pages per project). Core members of the proposed development team for the Project should have had a lead role in these past projects. BART is particularly interested in projects that address the criteria shown in Section VII.C, below.

For each project, please include the following information:

1. Project name, location, type of real estate product, and approximate built square footage
2. Description of the project, its quality, and amenities, distinguishing between private and public amenities
3. Name of lead project manager(s) for developer
4. List general contractor and architect
5. Photo(s) and site plan(s) of the project
6. Current status of the project (i.e., construction status or if completed, year of completion)
7. Role of team members involved in the project, and names of other firms that played a core role in the project

8. Number of affordable housing units provided, if any, and depth of affordability (e.g. X units restricted to maximum income of Y% AMI).
9. Number of off-street parking spaces provided; whether unbundled or priced; and comparison of parking ratio provided with City parking ratio requirements
10. Description of any placemaking, civic facilities/space, and other community benefits incorporated within the project, including how funded, operated and maintained
11. Development cost and financing summary, separately breaking out any portion of the project funded with Low-Income Housing Tax Credits (LIHTCs)
12. Primary sources of equity and debt, including public subsidy, grants
13. List of lenders for the project including contact information
14. Indication of whether or not the project involved a ground lease
15. Indication of whether or not the project involved a business relationship with a public agency and a description of the nature of any such relationship. Note any involvement of a transit agency, if applicable
16. Description of any unique approaches to community engagement in project scoping, design, and development
17. List of design or other awards received by project

E. Preliminary Development Concepts

Please provide a brief narrative with supporting materials as needed (maximum 8 pages), of the mixed-use transit-oriented development concept being proposed for the BART Property, with two alternatives: one with a library incorporated per Section II.F above, and one without. For all development scenarios, please assume replacement of 250 BART patron parking spaces on site. The actual number of replacement parking spaces will be negotiated in the ENA stage of the project, and BART is stating a number at this point only to ensure this is a controlled variable in the alternatives and to understand the potential developers' approaches to replacement parking in the design of the project. Please include the following information:

1. Development Program: Table showing the preliminary proposed development program for each alternative, including approximate numbers for the following:
 - number or range of residential units;
 - number and share of affordable units;
 - amount or range of retail, office, and any other commercial space;
 - amount/ratio of parking for each new use, and any car share parking
2. Site Plans: Two conceptual site plan alternatives, one with a library and one without, including for each alternative:
 - The location and approximate amount of land that is being considered for the development
 - Mix of uses and their locations
 - Income levels served by any housing on site

- Preliminary ideas for site circulation and access that will enable successful integration of the Project with surrounding uses while providing clear and direct access to BART for all transportation modes
3. Concept Statement: A brief (2 page maximum) narrative describing the site plan and development concept, including:
- Description of the opportunities and tradeoffs associated with inclusion/exclusion of a library in the development. Explanation of how inclusion/exclusion of the library affects your overall proposal and your site layout.
 - Preliminary ideas for an urban design and public realm that demonstrate approach to successful placemaking.
 - Explanation of your approach to parking for new residents/users, BART patrons, and library patrons (if applicable), and mitigating strategies to reduce parking and manage station access.
 - Any other proposed innovative or creative project elements that contribute to successful transit-oriented development.
 - Any notable public amenities.
 - Description of how this development concept aligns or does not align with the San Pablo Avenue Specific Plan requirements, and why.
 - Project Schedule and Phasing: Provide an estimated development schedule, including all major predevelopment activities. The schedule should begin from the time BART executes an Exclusive Negotiating Agreement. Describe any development phasing assumptions, and assumptions regarding real estate market / marketability of different uses that may influence or inform this phasing.
 - Economic Fluctuations: Given current disruptions to the national economy, and the recent climate of escalating construction costs, how might you propose to advance a project at El Cerrito Plaza in a volatile economy?

F. Narrative

BART requests responses to the following questions related to the team’s experience and approach. (maximum 3 pages):

1. Some stakeholders are very concerned about parking replacement for BART patrons (including potential spillover impacts to adjacent neighborhoods) and ensuring access to the Station. Describe how you would approach future engagement with the community around this topic, and any relevant experience that informs your proposed approach.
2. Describe any experience your team may have in reducing parking by accommodating multimodal access improvements or using transportation demand management strategies. Note any credentials, awards, or other highlights your team has received for relevant sustainable transportation work.

3. BART is seeking developers who will help “push the envelope” on innovation in sustainable development. Describe one or more examples when you incorporated innovative elements, processes, or strategies into a project despite resistance from the lending/investing community. How would you bring that experience to this project if selected?
4. Describe your approach and experience to providing affordable housing in past projects, and describe how this relates to any proposals to provide affordable housing in your development concept for El Cerrito Plaza.

G. Demonstration of Financial Capacity and Related Information

Please provide the following information to demonstrate your capacity to undertake and complete the proposed development.

1. Financial Statements for the previous three fiscal years for the lead developer and any team members that expect to be involved financially in the project. Certified statements are preferred.
2. Most recent annual report(s) for each of the team members that expect to be involved financially in the project.
3. List five most recent projects and related financing structure and project value from inception to completion (i.e. construction financing & permanent financing, sources of debt and sources of equity for each)
4. List of any current non-performing loans as well as loan defaults in the past 10 years for each of the team members.
5. Description of instances in which the lead development company or any key team member has been involved in litigation or other legal dispute regarding a real estate venture during the past 10 years. Include information regarding the outcome of the litigation or dispute.
6. Information about instances in which any member of the development team has ever filed bankruptcy or had projects that have been lost to foreclosure.

Any responses that do not provide this information by the deadline will be considered nonresponsive and ineligible. Any concern regarding disclosure of this information to BART should be communicated in advance of the deadline, so that alternative arrangements may be made to ensure required information can be evaluated.

Note that BART requires that neither the Selected Developer nor any of its principals, members or partners has been convicted of or admitted or assumed (including any plea of no contest) criminal or civil liability for any felony or fraud, or any act of moral turpitude; nor has a history of significant and material building code violations concerning the construction of similar projects; nor has been a party adverse to BART or the City in any lawsuits, claims or other actions within the preceding five (5) years; and has disclosed in writing any lawsuits or other actions as to which the proposed developer or any of its principals, members or partners has been adverse to BART or the City during any prior period.

H. References

Provide references with sufficient information to ensure easy contact – and ensure your contacts can be reached for reference checks. This should include company/organization names, titles, telephone numbers, and e-mail addresses for individuals who can provide information related to the following items:

- Financial contacts – Identify at least 3 contacts that have provided members of the development team with debt or equity financing of at least the magnitude likely to be required for the proposed Project.
- Public or Government - Identify 3 public officials of a government agency, county, city or other public agency who have been involved with a project completed by members of the development team (e.g., city managers, redevelopment staff, planning directors, economic development directors, etc.)



VII. SUBMITTAL AND EVALUATION PROCESS

A. Submittal of Statements of Qualification

Respondents must submit ten copies (one unbound original and nine bound copies) of their qualifications, one digital copy, and the required submittal deposit, to:

San Francisco Bay Area Rapid Transit District
Attn: Shannon Dodge
Principal Property Development Officer
Real Estate and Property Development Department
300 Lakeside Drive, 22nd Floor
Oakland, CA 94612
Office: (510) 464-6936
Cell: (510) 359-6978
sdodge@bart.gov

Submittals should include a deposit check of Twenty-Five Thousand Dollars (\$25,000) payable to “San Francisco Bay Area Rapid Transit District” to secure the team’s position as an eligible respondent. The deposit check will be securely retained by the Real Estate and Property Development Department, and the check of the Selected Developer, if any, will be deposited while the other checks will be voided and returned. If the Selected Developer decides to forego the opportunity to develop, the deposit will be retained by BART as liquidated damages to cover expenses of BART staff time associated with this solicitation.

If BART decides to forego the opportunity to develop this Property prior to execution of the Exclusive Negotiating Agreement, the deposit will be returned in full to the Selected Developer. Otherwise the deposit will be put towards the \$100,000 Exclusive Negotiating Agreement deposit described in Section VIII.A.

All submittals must be received by BART at the above address no later than 4:00 P.M, local time, on Wednesday, September 9. Material received after this time may not be accepted.

B. Submittal Confidentiality

The California Public Records Act (California Government Code Sections 6250 et seq.) mandates public access to government records. Therefore, unless the information is exempt from disclosure by law, the material submitted may be made available to the public. Any concerns regarding confidentiality of information should be addressed to Shannon Dodge prior to the submittal date.

C. Evaluation of Qualifications

An Evaluation Committee will be created to evaluate and assess the submitted Statement of Qualifications. The Committee will consist of representatives from BART and the City of El Cerrito and may include other local stakeholders. The Evaluation Committee will review and score written proposals in accordance with the following criteria. Following written evaluation, BART may conduct oral interviews with up to five top-scoring teams to further understand their qualifications, if needed.

SCORING CRITERIA **POINTS**

<p>1. Quality of Development Team's Experience with Directly Relevant Projects</p> <p>40 points</p>	<p>A. Master Planned Development. Successfully completed comparably-sized, mixed-use projects delivering on land use related goals and objectives articulated in Section II.B. For full points, experience must include new construction of (1) mid-rise housing; (2) deed-restricted housing affordable to households with incomes below 80% of Area Median Income; and (3) retail and/or community facilities.</p>	15
	<p>B. Transit-Oriented Development: Experience with high quality development incorporating best practices in TOD. Team architect/urban designer and developer experienced with projects delivering on urban design, access/mobility, and transportation management goals and objectives similar to those articulated in Section II,B.</p>	10
	<p>C. Public Agency Partnerships/Complex Land Transactions. Experience with joint development on public land deals, Redevelopment deals, or similar work, especially ground lease deals. Transit agency partnership experience will be awarded more points. Positive references from current and/or former public agency partners. BART may also consider past experience with team.</p>	10
	<p>D. Community Engagement: Experience leading effective community dialogue about design and programming of sites, and possible tradeoffs. Experience addressing concerns related to development impact from neighboring residents, business, and property owners. Demonstrated success in working with cities to garner support/entitlements for projects with greater density and height than surrounding context.</p>	5
<p>2. Preliminary Development Concept, Proposed Project Approach, Ability to Deliver</p> <p>30 points</p>	<p>A. Concept meets BART's Goals and Objectives for site, while being sensitive to community transition. Proposed approach to master plan design aligns with best practices in transit-oriented development and offers design solutions that are sensitive to local context, including aligning with the San Pablo Avenue Specific Plan. Responses reflect viable process for balancing market feasibility, financial feasibility, community goals and BART needs.</p>	10
	<p>B. Approach to affordable housing. Approach meets or exceeds BART's minimum requirement that 20% of residential units must be affordable – favoring depth and quantity of affordability. Depth based on Area Median Income (AMI) categories; more points shall be awarded for greater proportions of very low (< 50% AMI) and low (51-80% AMI) income housing. Approach reflects feasibility in local funding environment.</p>	10

	C. Demonstration of overall innovation and creativity. Proposed approach and past experience demonstrate lead developer(s)' commitment to pushing innovation in the field: e.g. introducing new product types to a submarket (higher densities, lower parking ratios, new construction technologies); "missing middle" housing (80% - 120% AMI); integrating public or civic amenities in new ways; on site programming; financing innovation.	10
3. Financial Capability of Development Team, Including Lender References 20 points	A. Financial Capability. Demonstrated ability to secure funding and financing for a long term, multi-phase project, based on past projects, team members with financing capabilities. For full points, demonstrated success meeting public infrastructure needs, and with securing external grant or other funding sources.	15
	B. Lender References. Positive lender references.	5
4. Roles and Responsibilities 10 points	A. Organizational Chart. Firms identified offer strong overall qualifications for key short-term predevelopment needs. Project manager experience is highly relevant to this Project.	5
	B. Small Business Participation. Small business participation commitment percentage as reflected in Attachment 1.	5
Written Submittal Total: 100 points		100
Oral Interview: 30 points		
Cumulative Total: 130 points		

D. Rights of BART

This RFQ does not obligate BART to select a development team, nor does it commit BART to enter into an Exclusive Negotiating Agreement. Costs incurred in preparation and submittal of responses are the sole responsibility of the proposers.

BART may require additional evidence or qualifications to perform the services described in this RFQ. BART may choose to issue a Request for Proposals to the top five qualified teams responding to this RFQ, in order to secure further information about each team and its development concepts.

BART reserves the right to:

- Reject any or all proposals or advertise for new proposals
- Modify the RFQ process including, but not limited to, modifying the timeline set forth in Section IX – Schedule of Activities (with appropriate notice to respondents)
- Postpone interviews or the evaluation process for its own convenience
- Remedy technical errors in this Request for Qualifications process
- Approve or disapprove of the use of particular partners/subcontractors
- Waive weaknesses, informalities and minor irregularities in proposals, permit corrections, and seek and receive clarifications to a proposal
- Conduct interviews at its discretion or bypass oral interview phase
- Hold meetings, conduct discussions, and communicate with the teams responding to this RFQ to seek an improved understanding and evaluation of the responses
- Negotiate with any, all, or none of the respondents

VIII. PRE-DEVELOPMENT COSTS

There are certain pre-development costs that are associated with the Project. In addition to the submittal deposit referred to in Section VII.I., they are as follows:

A. Exclusive Negotiating Agreement (ENA) Deposit

The ENA provides the Selected Developer an initial period during which it may exclusively negotiate the terms of the development with BART. Throughout the joint development effort between BART and the Selected Developer, the Selected Developer will be asked to fund BART's El Cerrito Plaza BART Transit-Oriented Development working account, for the purposes of covering BART staff time and outside consultant expenses, including design review, term sheet negotiation, and outside counsel expenses, associated with reviewing the Project in the scoping and design phase. BART will provide an estimated budget for expenses associated with the ENA term. The developer will be expected to fully cover BART expenses related to the project, including design review, term sheet negotiation, and outside legal counsel, which may vary from the estimated budget.

To fund this account, BART will require the Selected Developer to take the following actions:

- The initial Twenty-Five Thousand Dollar (\$25,000) deposit provided upon submittal of the statement of qualifications from the Selected Developer will be deposited by BART upon selection of developer by the BART Board of Directors.
- Upon execution of the ENA the Selected Developer must make an additional deposit by submitting a check to BART totaling Seventy-Five Thousand Dollars (\$75,000), for a total ENA deposit of One Hundred Thousand Dollars (\$100,000).
- The Selected Developer must make all checks payable to the San Francisco Bay Area Rapid Transit District with the following note in the memo: "El Cerrito Plaza Station ENA Deposit."

The above-mentioned deposit will be placed in an account controlled by BART to fund BART's pre-development expenditures associated with the Project, including but not limited to: legal fees, staff time for review of design, structural engineering, civil engineering, BART operations, maintenance, and safety needs in areas interfacing with the Station, Station access and transit hub design, reimbursement of outside consultant costs. When the project account is depleted below \$25,000 due to project-related expenses, the Selected Developer will be obligated to deposit additional money into this account to assure sufficient funding for BART predevelopment and construction expenditures for the Project.

B. Access Study

The Selected Developer will be required to fund an access study that will be managed by BART and prepared by one of BART's on-call consultants, addressing issues described in Section III.D.3 of this RFQ. The estimated cost of the access study is \$150,000 - \$200,000, though the actual cost of the access study may vary from this range. The Selected Developer will be required to reimburse BART for the cost of this study. The first phase of the access study must be completed prior to submittal of a development proposal to the City of El Cerrito.



IX. SCHEDULE OF ACTIVITIES

The following timeline is provided for your scheduling information, but is subject to change at BART’s discretion.

A. Request for Qualifications Timeline

EVENT	DATE
BART Issues RFQ	Tuesday, July 21, 2020
Pre-Submittal Conference	Tuesday, August 4, 2:00pm
Networking Session (pre-registration required)	Monday, August 10
Final Questions & Requests for Clarification Due	Tuesday, August 11
BART Response to RFQ Questions/Clarifications	Thursday, August 20
Statement of Qualifications Due	Wednesday, September 9, 4:00pm
Interviews Conducted (approximate)	Week of October 5
Board Considers Authorization to Enter into ENA	Thursday, November 19, 2020

B. Pre-Submittal Conference

An optional Pre-Submittal Conference will be held via web conference beginning at **2:00pm on Tuesday, August 4**. This Conference will offer interested parties the chance to ask clarifying questions. The web conference may be joined at: <https://us02web.zoom.us/j/89911498087>. The time, date, and instructions for joining are subject to change; please confirm them on the project website at www.bart.gov/TODElCerritoPlaza. All questions will be recorded and transmitted in writing to BART’s Transit-Oriented Development email list, and posted on the project website.

C. Networking Session

The District’s Office of Civil Rights will facilitate a web conference Networking Session for interested firms to meet with potential developers for subcontracting opportunities. The Networking Session is tentatively scheduled for **Monday, August 10** and will occur over an 8-hour window during which firms interested in subcontracting will be given 5-minute time slots to introduce themselves to the participating developers. The confirmed date of the Networking Session and participating developers’ RSVP contact information will be posted on BART’s El Cerrito TOD webpage at www.bart.gov/TODElCerritoPlaza.

Developers interested in participating in the Networking Session as a potential prime are advised to contact Fei Liu, Office of Civil Rights, via email at fliu@bart.gov no later than Wednesday, August 6.

Firms interested in subcontracting opportunities are requested to RSVP directly with participating developers. Additionally, each participating developer will present a Networking Session RSVP schedule to the District for confirmation prior to the Networking Session.



D. Submittal of Questions and Requests for Clarification

Any questions or requests for clarification regarding this solicitation should be in writing, emailed to:

Shannon Dodge
Principal Property Development Officer
Real Estate and Property Development Department
300 Lakeside Drive, 22nd Floor
Oakland, CA 94612
Office: (510) 464-6936
Cell: (510) 359-6978
sdodge@bart.gov

All questions must be received by the date stated above in order to ensure their timely response well in advance of the RFQ deadline. BART's reply will be sent electronically to BART's TOD GovDelivery email list and posted on the El Cerrito Plaza Station TOD website at www.bart.gov/TODElCerritoPlaza. To be added to BART's email list, please subscribe to BART's email alerts by visiting <http://www.bart.gov/news/alerts>, and select "Transit-Oriented Development Projects" when prompted.



Attachment 1

PROJECT TEAM

(To Be Completed By Proposer Only – use multiple pages as needed)

Name, Address, Point of Contact, Email, and Phone Nos. of All Firms Participating on the Agreement (Including Prime and Subconsultants)	Check if SB	Nature of Participation
Name of Firm: _____ Address: _____ _____ _____ Point of Contact: _____ Email: _____ Phone Number: _____		
Name of Firm: _____ Address: _____ _____ _____ Point of Contact: _____ Email: _____ Phone Number: _____		

The SB participation commitment offered by Proposer will be _____%.

Name of Authorized Officer of Proposer (Print or Type)

Signature of Authorized Officer of Proposer