



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
May 14, 2025**

The Council of Park City, Utah, will hold a special meeting in person at the Marsac Municipal Building, in the Council Chambers, at 445 Marsac Avenue, Park City, Utah 84060. Meetings will also be available online and may have options to listen, watch, or participate virtually. [Click here for more information.](#)

Zoom Link: <https://us02web.zoom.us/j/84776909316>

CLOSED SESSION - 2:00 p.m.

The Council may consider a motion to enter into a closed session for specific purposes allowed under the Open and Public Meetings Act (Utah Code § 52-4-205), including to discuss the purchase, exchange, lease, or sale of real property; litigation; the character, competence, or fitness of an individual; for attorney-client communications (Utah Code section 78B-1-137); or any other lawful purpose.

SPECIAL MEETING - 2:40 p.m.

I. ROLL CALL

II. BONANZA PARK 5-ACRE REDEVELOPMENT RFP INTERVIEWS

1. Interviews with the Top Two Respondents for the Bonanza Park 5-Acre Site Request for Proposals

III. CLOSED SESSION - At the Conclusion of the Interviews

IV. ADJOURNMENT

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting.

***Parking is available at no charge for Council meeting attendees who park in the China Bridge parking structure.**

City Council Staff Report

Subject: City Council Selection Committee – Bonanza 5-Acre Site
Author: Michelle Downard
Department: Executive
Date: May 14, 2025

Summary

Sitting as the Selection Committee for Stage 4 of the Evaluation Process in the RFP to Redevelop the Bonanza 5-Acre Site, the City Council will interview the top 2 scoring respondents in a public meeting, followed by a closed session. The Council Members will score each vendor using the evaluation criteria in the RFP, deliberate, and ultimately recommend a respondent if desired.

Analysis

On March 4, 2025, the City posted the attached RFP (Exhibit A) to outline the Council's vision to create a vibrant, mixed-use destination that incorporates residential units offered at a range of prices and affordability, including deeply affordable units, in addition to a mix of local and market-rate commercial spaces, including artists and public art installations.

The RFP closed on April 3, 2025, and the RFP Selection Committee (Stages 2-3) evaluated and scored five responses and interviewed three. After interviews, the Committee scored again and recommended two for the City Council's consideration:

- Brinshore Development, LLC, and
- Woodbury Corporation/Pinnacle Real Estate Development Group, LLC.

City Council members should assess the technical responses based on the evaluation criteria outlined in the RFP and interview the top 2 respondents.

The City's project team is ready to initiate an exclusive negotiation agreement (ENA) after the City Council awards a successful respondent to obtain a detailed pre-development agreement. Like the EngineHouse, this will include a negotiation phase that concludes with a proposed development contract and/or ground lease terms, financial commitments, and other associated structuring agreements on the best possible terms. We also recommend working with outside legal counsel specializing in public-private partnership agreements.

Exhibits

- A Bonanza 5-Acre Site RFP

Park City Municipal Corporation (“PCMC” or “City”)

REQUEST FOR PROPOSALS FOR

Redevelopment of a 5-Acre Site in Bonanza Park

Respondents or their agents are instructed not to contact or seek references from City employees, agents or contractors of the City, selection committee members, the Mayor’s office or staff, members of the City Council and Planning Commission, or attempt to externally manipulate or influence the procurement process in any way, other than through the instructions contained herein, from the date of release of this RFP to the date of execution of the agreement resulting from this solicitation. City, in its sole discretion, may disqualify a Respondent for violation of this provision.

REQUEST FOR PROPOSALS ("RFP")

REDEVELOPMENT OF A 5-ACRE SITE IN BONANZA PARK

PCMC is inviting Proposals from persons or firms ("Respondent") to provide redevelopment proposals on an approximately 5-acre site ("Site"), less any area dedicated to the Kimball Art Center project, in the Bonanza Park/Snow Creek Neighborhood. No guarantee of the actual service/product requirement is implied or expressed by this RFP or the resulting agreements.

RFP AVAILABLE: **Tuesday, March 4, 2025**, on U3P/Bonfire and the PCMC website. Any modifications to the RFP or responses to questions submitted will be added as an addendum to the RFP posted on U3P/Bonfire. It is the responsibility of Respondents to regularly check for addenda.

SITE VISIT: While the RFP is advertised, Respondents may visit the Site during reasonable hours to tour the property. Site visits are optional and PCMC staff will not attend.

QUESTIONS: All RFP questions must be submitted in writing via U3P/Bonfire by **10:00 a.m. on Tuesday, March 18, 2025**, and will be treated as public information. The RFP will not be modified within 5 business days prior to closing.

PROPOSALS DUE: By **10:00 a.m. on Thursday, April 3, 2025**. **Submit statements electronically through U3P. E-mail submissions will not be considered.** The statements will be opened after the submission deadline.

PROJECT LOCATION: Bonanza Park Neighborhood, Park City, UT 84060 (Parcels: PSA-46-A-X; PSA-46-RE-B-X; PSA-46-RE-C-X; PSA-46-RE-D-X; SA-109-G-X-X; KBC-A-X; KBC-B-X; PCA-110-G-1-X; PCA-110-G-2-A-X; PCA-110-G-3-X)

PROJECT DESCRIPTION (brief): Public-private mixed-use redevelopment of an approximately 5-acre Site, less any area allocated for the Kimball Art Center project, located in Bonanza Park off Kearns Boulevard between Bonanza Drive and Park Avenue.

OWNER: Park City Municipal Corporation
P.O. Box 1480
Park City, UT 84060

CONTACT: Grant Herdrich, JD
Procurement Manager
grant.herdrich@parkcity.org

Statements will remain valid for 120 days after submission. PCMC reserves the right to reject any or all statements received for any reason. Furthermore, PCMC reserves the right to change dates or deadlines related to this RFP. PCMC also reserves the right to waive any informality or technicality in statements received when in the best interest of PCMC. PCMC reserves the right to hold interviews for any qualified Respondents/teams who respond to the RFP.

I. Introduction

Purpose of the RFP

PCMC is seeking a qualified multi-disciplinary team to redevelop an approximately 5-acre Site in the Bonanza Park neighborhood to create a vibrant, mixed-use destination that blends residential, commercial, and community arts elements. The redevelopment should incorporate residential units offered at a range of prices and affordability, including deeply affordable units, in addition to a mix of local and market-rate commercial spaces, including space for artists and public art installations. The City seeks creative financial, phasing, parking, and design strategies to maximize community benefit in compliance with the Land Management Code.

Current Development Goals

Park City desires a locally-focused, mixed-use, and mixed-income development to creatively incorporate housing, local retail, shared parking strategies, and community spaces with consideration for financial tools to maximize community benefit.

Housing should incorporate a range of unit prices and affordability levels, including priority for deeply affordable units. Park City's Workforce Wage is approximately 55% of AMI, and therefore, affordability should reach as low as 30% of AMI. Respondents may propose multiple affordability distribution scenarios with the final unit mix agreed upon during negotiations. Market-rate units may be incorporated and should not total more than 20% of all residential units. Housing should be extremely limited on the first floor and only if necessary to maintain vibrancy of the ground and retail levels in support of public rather than private spaces.

Vibrant first floor retail spaces should include a quality mix of local and market-rate retail and maker/art spaces and support the overall site vibrancy. Market-rate retail should only be included to the extent necessary to support or benefit the Site's financial feasibility and to maximize community benefits. Local spaces should reflect a variety of rents in favor of community benefit and may represent a mix of retail and maker/art spaces. Market-rate commercial to be small to medium size to promote a variety of offerings.

Below-ground parking is strongly preferred to maximize areas for community gathering, the pedestrian experience, and connectivity. Surface-level parking is discouraged, although it may be proposed to support limited functional site requirements and it should not infringe on areas for community gathering. The City has a strong desire to incorporate a comprehensive and shared multi-purpose public parking strategy for the overall Site, and explore other creative solutions such as leveraging nearby or adjacent parking areas within walking distance for surge/overflow parking needs. The City is also interested in parking reductions that contribute towards community benefit pursuant to existing LMC criteria or as may be adopted in the pending draft BPMX zoning ordinance.

Community space is a vital component and should support and integrate the Site's vibrancy, including a minimum of 35,000 square feet. This should be designed to support the separation of space throughout the 5-acre Site for multiple small parks and a primary focus on a large central gathering space which can be activated for locally focused events and concerts.

EXHIBIT A

Pedestrian and bicycle pathways, and accessibility and integration should be prioritized within the Site. The site may be accessed from multiple roadways based on applicable engineering standards. An additional internal private vehicle access within the five-acre Site is not required, although the City will consider internal at-grade public transportation access.

The City intends to apply and complete a Voluntary Cleanup Program for the Site with the Utah Department of Environmental Quality. The City will manage and pay for the VCP and will coordinate with the selected developer. Details on the environmental conditions of the Site can be found [here](#).

The City has entered into a construction agreement to reroute and underground the overhead power lines which currently exist on the Site. The 60-foot aerial easement will therefore be removed.

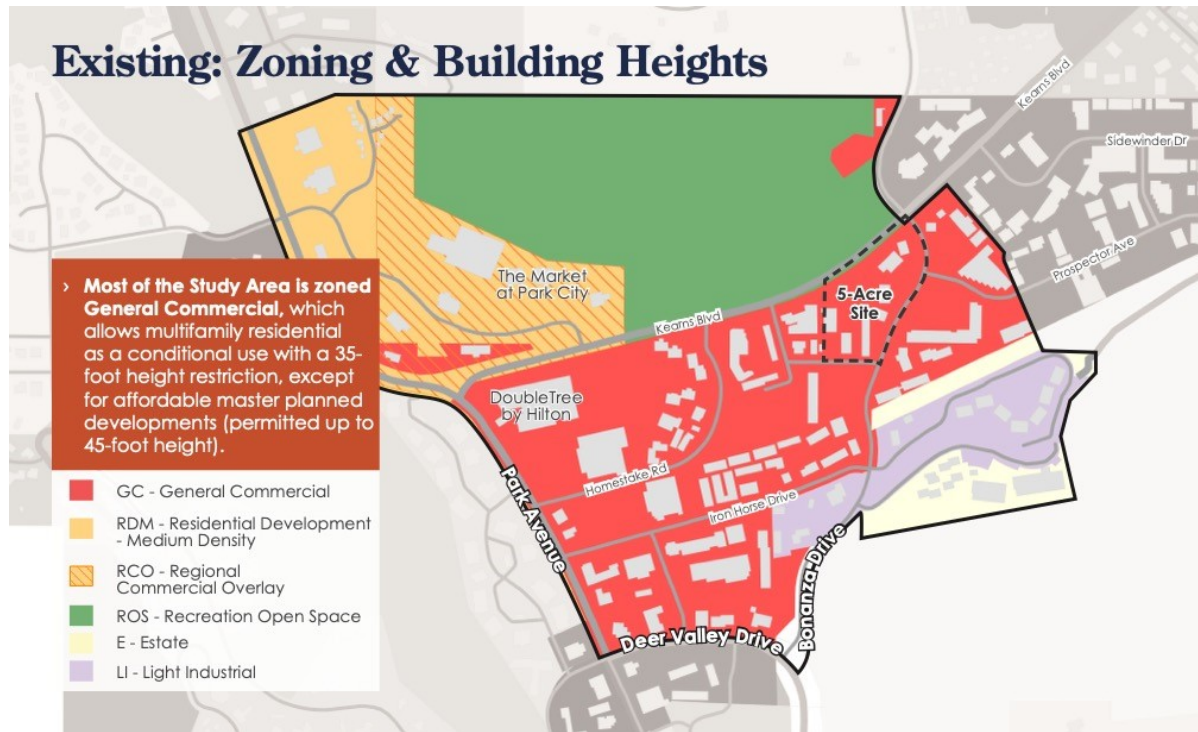
The Site design should contemplate a stand-alone mixed-use building on 0.785 acres for the Kimball Art Center (“KAC”), which is integrated with overall Site functionality, connectivity, and circulation and may only be located along the current alignment of Munchkin Road and Woodbine Way, with a preference towards the corner of Munchkin Road and Bonanza Drive. The overall Site integration should consider outdoor flexible space within KAC’s parcel which may include publicly accessible activations, art installations, and community gatherings. The KAC will be designed in collaboration with and approved by the City, but independently financed and developed.

The Site should consider building efficiency and environmentally focused construction standards.

Current and Future Zoning and Overlays

Current Zoning and Overlays: The Site is currently zoned General Commercial (“GC”), a zoning district that focuses on commercial retail, dining, and hospitality uses by right, allowing for residential uses as a conditional use. Density is restricted via setback requirements, and a building height of 35 feet, or approximately three stories, is allowed for most structures. The City is supportive of 45 ft building heights for qualifying buildings due to the community benefit provided by the development. See the [Land Management Code 15-6.1](#) for additional info.

The Site’s Kearns Boulevard frontage also falls under the Frontage Protection Zone (“FPZ”) Overlay, which impacts the first 100 feet from the right-of-way of Kearns Boulevard. The FPZ restricts new structures, including buildings or signs, within the first 30 feet of the nearest right-of-way off Kearns Boulevard. Sidewalks or trails with pedestrian amenities may be built within this setback. All construction activity, including permanent signs, in the setback area between 30 and 100 feet from the nearest right-of-way line, requires a conditional use permit.



Existing Zoning in the Bonanza Park Small Area Plan Area

Future Zoning: The new [Bonanza Park Small Area Plan](#) is the comprehensive document for the impending redevelopment of the City's geographical core in the coming years and is a roadmap to implement the plan through code amendments to rezone the area into the new Bonanza Park Mixed Use District ("BPMX"). Once adopted, it will apply to the Site and the 200-acre Bonanza Park neighborhood and will ensure future growth reflects a more walkable, mixed-use, and human-scale environment. The BPMX is currently under review by the Planning Commission. Meeting discussions can be viewed [here](#) to better understand potential future code amendments and the future redevelopment goals for the area.

II. Funding

The City will negotiate with the development team regarding the project program and design specifics, the long-term lease of the property, private financing, funding incentives, and the use of public funds.

Costs to the City, or funding sought from the developer above and beyond the dedication of the approximately 5-acres in a long-term ground lease, is a critical factor in determining project viability and depth of partnership. Proposals should identify the overall projected total project cost, potential funding sources, and any areas specifically targeted for City participation, subsidy or direct financial contribution (list out). We also seek financial contingency plans regarding uncertain or uncommitted funding sources, such as grant funding if not awarded, such as LIHTC, to ensure underlying financial stability.

a. Lease

The City contemplates retaining ownership of the land and anticipates a long-term ground lease of the Site for \$1.00 per year for a minimum of 60 years in order to help accomplish the goals of economic development, affordable housing and other local public purposes as approved by the City Council. Proposals must outline the preferred land ownership structure

(lease and term lengths), and property management strategy including ongoing operations, maintenance, and programming.

b. Development Costs

Proposals may also contemplate a City financial contribution of approximately \$30,000,000 from the City's Transient Room Tax, which was levied to support the original acquisition of the 5-acre property and support its future development. Proposals must outline the components of the project where the city's financial contribution will be allocated and the timing and terms for when the funds are requested to be disbursed.

The cost response will be evaluated independently, and as such, should be submitted separately from the technical response.

III. Proposal Format & Content

Proposals are intended to provide an understanding of how each development team can help PCMC achieve its vision and execute a successful project. Responses must demonstrate the development team's qualifications, competence, and vision for the Site, and provide the necessary technical detail to address key issues such as Site layout, development program, and financial feasibility. Proposals must provide the requested information in conformity with the requirements found in this RFP. Responses must include:

a. Cover Sheet

b. Cover Letter

Introductory cover letter identifying the firm (and essential team members), contact information for the project managers, the reason for interest in the development, and the vision for the proposed development. The letter must be signed by a principal or authorized officer of the company who may make legally binding commitments.

c. Table of Contents

d. Statement of Project Understanding and Qualifications

Include a statement of the project understanding and a summary of qualifications for performing past development work and ability to meet the community's goals based on the Respondent's skills and experiences.

e. Lead Firm Description

Description of firm, including information such as history, services offered/general experiences, number of employees, location of office(s), and any M/WBE qualifications.

f. Respondent Organization Chart and Roles

Include an organizational chart showing the proposed Respondent structure, including the names of each key subconsultant (architect, engineer, legal, etc.), their role, and the key personnel that would be involved in the project.

Identify all development projects in which any member of your team participated that took place within Park City boundaries. Identify all consulting or professional services provided by any member of your team to PCMC within the past 5 years. In addition, identify and disclose any potential conflicts of interest between PCMC and your development team, and how you propose to address them.

g. Team Resumes

Provide resumes for the key project personnel listed under “Respondent Organization,” including the location of the primary office to which they are assigned, relevant projects they have worked on, and years of experience. Include the resume of the person who will be the day-to-day project manager for the proposed development project.

h. Relevant Project Experience

Include information on past projects from the past 15 years that are comparable to the proposed project in scope, program, scale, or other key functions. Highlight the past project’s location, square footage, general program, total development cost, the use of any public incentives, any sustainable certifications, and overall development timeline. Images of the completed or in-process relevant projects are welcome.

i. References

Include key references along with each individual’s name, company, title, phone number, email address, and project that they were involved with.

j. Creative Ideas and Solutions

Provide a description of creative ways your team has provided affordable, attainable, and/or workforce housing using tools, programs, or methods outside of traditional incentives such as LIHTC, Housing Choice Vouchers, etc., or any creative ideas related to achieving the stated project goals. Describe how those methods may be applicable to the Site.

k. Developer’s Financial Background

Describe your experience with private and public/private project financing mechanisms. Provide a general list of private sources of financing used for recent projects describing the type of private source (private investor, REIT, banks, etc.), public sources of financing/incentives used for recent projects, three years of audited financials, and past bankruptcies or pending financial litigation involving any firm or principal.

l. Proposed Project Description & Supporting Information

a. Development Description

A description of the envisioned development, including anticipated community benefits. This description should include a general discussion of the types of commercial tenants, if any, targeted for the development.

b. Development Plan, Elevations, & Renderings

A site plan, elevations, and rendering(s) that depict the proposed development and its various features, amenities, and uses. The drawings should include enough detail to ascertain the project layout, uses, roadways, and pedestrian infrastructure. This drawing should include, at a minimum, the following:

i. Land Use(s) Proposed

ii. General characteristics of the Plan:

1. Square feet by general use type. If affordable housing or other space is anticipated, note the number of units and/or square footage of that space.
2. The range of residential unit prices and affordability levels and market rate units (may include options).
3. Approximate number of parking spaces (surface parking and subterranean structured parking).
4. Proposed number of stories for buildings and parking structures.

5. Uses of each building (residential, office, restaurant, retail, amenities, etc.).
6. Circulation patterns and connectivity throughout the Site and its immediate context.
7. Location and type of public amenities, including representative imagery of what is envisioned for the area.

m. Design

Include examples of the types of building design proposed using examples from other projects. In addition, note or include images of unique plan features, buildings, or other design elements and the materials proposed for building construction.

n. Development Timeline

A high-level development timeline should be included from pre-design through completion, including any phasing.

o. Cost Estimate

Provide a general estimate of the proposed project cost broken down by major category (land lease terms, Site development, entitlements, construction, infrastructure, etc.).

In addition, provide an overall project breakdown by funding source, and identify how and when the City's financial support would be utilized. Include a property management strategy, and contingency plans regarding uncertain or uncommitted funding sources, such as grant funding if not awarded, such as LIHTC, to ensure underlying financial stability.

p. Sources & Uses

List of sources and uses of funds to be used to construct the proposed development. If the use of any Park City Municipal funds is anticipated, include those specifically with amounts.

q. Development Feasibility

Provide a high-level estimate of the project's financial feasibility—both with and without public incentives, if applicable.

r. Proof of Financing Capability

Provide proof of financing capability to complete the project, including financial commitments from lenders, equity partners, or other sources of financing if applicable.

s. Master Developer Designation

If acting as a "master developer" for the entire Site, identify the proposed components of the development that a sub-developer would execute.

t. Public Incentives

Identify any public incentives—including, but not limited to, tax increment financing, property tax abatement, special taxing districts, cooperation agreements, etc., sought to complete the proposed development. Describe the intended uses for those funds.

u. Economic Impact

Include, at a minimum, basic economic impact information, including the number of temporary full-time and full-time equivalent development jobs created during the development period and the average wage of those jobs; the number of permanent full-time and full-time equivalent jobs created upon project stabilization and the average wage of those jobs; and the total expected amount of annual retail and restaurant sales upon project stabilization. Include an approximate estimate of any anticipated spillover economic activity (number of new full-time or full-time equivalent jobs, estimated annual wages, and spending) that could occur due to the new development.

v. Fiscal Impact

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Include an analysis of the fiscal benefits to Park City, including types and estimated amount of property, sales, hospitality, or other tax revenues generated annually upon stabilization of the project, services provided, or other key benefits to the public.

w. Land Use & Zoning

The proposal should show how the proposed project complies with existing Land Management Code. The City is willing to consider building heights up to 45 feet.

x. Additional Supporting Information

The proposal should include, at a minimum, a site plan along with a 3-dimensional model, axonometric drawing, or other three-dimensional diagram to understand the overall size, form, and spatial impact of the proposed project. The submission may also include any other information or visuals that would illustrate the full vision for the proposed redevelopment of the Site (elevations, example imagery, renderings, etc.)

Submittals should be a maximum of 55 pages (excluding section dividers) and in a font no smaller than 11 points.

V. Evaluation Criteria

	Total Points Available	Points Awarded
Proposed Project		
1. Team qualifications, past work, references, and project clarity.	150	
2. Demonstrates an understanding of the City's project vision and goals including a locally-focused, mixed-use, and mixed-income development.	100	
3. Demonstrates creativity in designing a mixed-use development incorporating housing, commercial, ground-level vibrancy, below-ground parking, open space which can be activated for outdoor events including concerts, and connectivity with consideration for financing tools, phasing, and long-term programming while complying with existing Land Management Code requirements unless specifically mentioned otherwise in this document.	100	
4. Vendors' estimated total cost to the City excluding the value of the ground lease of the Site. This is the total amount of financial support expected from the City. The cost should be considered with the visual aesthetics, housing amounts, AMI mix, outdoor spaces, commercial real estate, property management strategy, and other considerations.	40	
5. Demonstrates financial capacity and technical ability to execute a project of a similar scope and cost including effectively leveraging funding sources. Assesses the project's economic and fiscal impact on the city, ensuring long-term sustainability and value.	80	
6. Maximize the range of residential unit prices and affordability levels.	80	

EXHIBIT A

7. Demonstrate an ability to incorporate vibrant retail space, including a quality mix of market-rate retail, local retail and maker/art spaces.	40	
8. Demonstrates an ability to enhance connectivity from the Site to surrounding neighborhoods, including trails, public transportation access, and facilities.	40	
9. Demonstrates a commitment to sustainable building standards in their past projects and shows plans to incorporate it in their proposed project.	20	
Grand Total	650	

PCMC reserves the right to reject any statements for any reason and statements lacking the required information will not be considered.

VI. Response Evaluation Process

Stage 1: Initial Review

In the initial phase of the evaluation process, a PCMC representative will review all responses timely received. Non-responsive or non-responsible responses, or responses not conforming to RFP requirements or unable to meet the mandatory minimum requirements will be eliminated from further consideration.

Stage 2: Technical Response Evaluation/Interviews

All remaining responses will then be evaluated by an evaluation committee appointed by PCMC against the response evaluation criteria stated in the solicitation.

The evaluation committee shall notify those Respondents to be given further consideration and interviewed. Respondents scoring over 65% of the total points will move on to the interview phase. The interview requirements and format will be provided to the finalists in advance.

Stage 3: Interview

Information for the interview will be provided to all respondents meeting the minimum scores in Stage 2.

After interviews are scored, the evaluation committee will tally the cumulative final scores from the stage 2 Technical Response and the stage 3 Interviews to arrive at a consensus score by the following method: an average of the individual scores.

If only 2 vendors score above the Stage 2 threshold, PCMC reserves the right to bypass stage 3 and move directly to Stage 4.

Stage 4: City Council Evaluation

The top two highest-scoring respondents from Stage 3 will advance to Stage 4. Previous Stage 3 scores will not carry forward, and Stage 4 will be scored independently. This stage consists of two components: a technical response evaluation and an interview.

EXHIBIT A

City Council members will assess the technical responses based on the evaluation criteria outlined in the RFP. Following this, the Council will conduct interviews with the two finalists in a scheduled public meeting. Interview details and format will be provided in advance.

After the interviews, the City Council will deliberate in a closed session, as permitted by the Open and Public Meetings Act. The final score will be determined by averaging individual Council member scores from both the technical evaluation and interview.

Additional Stages: PCMC may determine additional stages are beneficial and may add additional technical stages or host additional demos or interviews at PCMC's discretion.

VII. Government Records Access and Management Act.

All submittals will be treated as public records in accordance with the requirements of the Government Records Access and Management Act, Title 63G, Chapter 2 of the Utah Code ("GRAMA") unless otherwise designated by the Respondent pursuant to Utah Code § 63G-2-309, as amended. The burden of claiming an exemption from disclosure shall rest solely with each Respondent. Respondent shall submit any materials for which Respondent claims a privilege from disclosure marked as "Confidential" and accompanied by a statement from Respondent supporting the exemption claim. PCMC shall make reasonable efforts to notify Respondent of any GRAMA requests for documents submitted under an exemption claim. Respondent waives any claims against PCMC related to the disclosure of any materials pursuant to GRAMA. Please note the following:

- a. Respondent must not stamp all materials confidential. Only those materials for which a claim of confidentiality can be made under GRAMA, such as trade secrets, pricing, non-public financial information, etc., should be stamped.
- b. Respondent must submit a letter stating the reasons for the claim of confidentiality for every type of information that is stamped "Confidential." Generally, GRAMA only protects against the disclosure of trade secrets or commercial information that could reasonably be expected to result in unfair competitive injury. Failure to timely submit a written basis for a claim of "Confidential" may result in a waiver of an exemption from disclosure under GRAMA.
- c. For convenience, a Business Confidentiality Request Form ("BCR Form") is attached to this RFP as **Attachment 2**. Respondents must submit a completed BCR Form at the time of submission of any statement.

VI. Ethics.

By submission of a statement, Respondent represents and agrees to the following ethical standards:

REPRESENTATION REGARDING ETHICAL STANDARDS: Respondent represents that it has not: (1) provided an illegal gift or payoff to a city officer or employee or former city officer or employee, or his or her relative or business entity; (2) retained any person to solicit or secure this contract upon an agreement or understanding for a commission, percentage, or brokerage or contingent fee, other than bona fide employees of bona fide commercial selling agencies to secure business; (3) knowingly breached any of the ethical standards set forth in the City's conflict of interest ordinance, Chapter 3.1 of

EXHIBIT A

the Park City Code; or (4) knowingly influenced, and hereby promises that it will not knowingly influence, a city officer or employee or former city officer or employee to breach any of the ethical standards set forth in the City's conflict of interest ordinance, Chapter 3.1 of the Park City Code.

VII. Selection Process

Proposals will be evaluated on the criteria listed in Section IV, Contents of Statement and Evaluation Criteria, above.

The selection process will proceed on the following anticipated schedule.

RFP Release	Tuesday, March 4, 2025
Clarification Questions Due	Tuesday, March 18, 2025, at 10:00 a.m. (MT)
Submissions Due	Thursday, April 3, 2025, at 10:00 am (MT)
Evaluations Conducted	Thursday, April 3, 2025, through Friday, May 30, 2025
Negotiations with Development Team	Beginning the week of June 2, 2025

VIII. PCMC Required Agreements

Should the PCMC select a development team from the RFP process, the successful Respondent will be required to enter negotiations with PCMC with the expectation the parties will enter into an Exclusive Negotiation Agreement (ENA) with regard to the proposed development. After additional negotiations—including, but not limited to the terms of a ground lease of the property, the proposed project's scale, the program mix, the inclusion of public amenities, the project's general architectural design, and the financial participation of PCMC—the Respondent will enter into a Pre-Development agreement with PCMC, and other related agreements as necessary including a ground lease at financial close. Respondent must be authorized to do business in Utah at the time of Pre-Development Agreement execution. If Respondent's address is within the 84060 zip code, a valid PCMC business license is required.

IX. General Provisions

- a. No Representations or Warranty. It is the responsibility of each Respondent to carefully examine this RFP and evaluate all of the instructions, circumstances and conditions which may affect any statement. Failure to examine and review the RFP and other relevant documents or information will not relieve Respondent from complying fully with the requirements of this RFP. Respondent's use of the information contained in the RFP is at Respondent's own risk and no representation or warranty is made by PCMC regarding the materials in the RFP.
- b. Cost of Developing Statements. All costs related to the preparation of the statements and any related activities are the sole responsibility of the Respondent. PCMC assumes no liability for any costs incurred by Respondents throughout the entire selection process.

EXHIBIT A

- c. Equal Opportunity. PCMC will make every effort to ensure that all Respondents are treated fairly and equally throughout the advertisement, review, and selection process. The procedures established herein are designed to give all parties reasonable access to the same basic information.
- d. Statement Ownership. All statements, including attachments, supplementary materials, addenda, etc., will become the property of PCMC and will not be returned to the Respondent.
- e. Modification of RFP. PCMC reserves the right to cancel or modify the terms of this RFP and/or the project at any time and for any reason preceding the contract execution. PCMC will provide written notice to Respondents of any cancellation and/or modification.
- f. Financial Responsibility. No statement will be accepted from, or contract awarded to, any person, firm, or corporation that is in arrears to PCMC, upon debt or contract, or that is a defaulter, as surety or otherwise, upon any obligation to the PCMC, or that may be deemed irresponsible or unreliable by PCMC. Respondents may be required to submit satisfactory evidence demonstrating the necessary financial resources to perform and complete the work outlined in this RFP.
- g. Local Businesses. PCMC's policy is to make reasonable attempts to support local businesses by purchasing goods and services through local vendors and service providers, subject to Federal, State, and local procurement laws

X. Attachments

Attachment 1 – Business Confidentiality Request Form

Attachment 1 – Business Confidentiality Request Form

REQUEST FOR PROTECTED STATUS

(Business Confidentiality Claims under Utah's Government Records Access and Management Act ("GRAMA"), Utah Code § 63G-2-309)

I request that the described portion of the record provided to Park City Municipal Corporation be considered confidential and given protected status as defined in GRAMA.

Name:

Address:

Description of the portion of the record provided to Park City Municipal Corporation that you believe qualifies for protected status under GRAMA (identify these portions with as much specificity as possible) (attach additional sheets if necessary): _____

The claim of business confidentiality is supported by (please check the box/boxes that apply):

- () The described portion of the record is a trade secret as defined in Utah Code § 13-24-2.
- () The described portion of the record is commercial or non-individual financial information the disclosure of which could reasonably be expected to result in unfair competitive injury to the provider of the information or would impair the ability of the governmental entity to obtain the necessary information in the future and the interest of the claimant in prohibiting access to the information is greater than the interest of the public in obtaining access.
- () The described portion of the record would cause commercial injury to, or confer a competitive advantage upon a potential or actual competitor of, a commercial project entity as defined in Utah Code § 11-13-103(4).

REQUIRED: Written statement of reasons supporting a business confidentiality claim as required by Utah Code § 63G-2-305 (1) –(2) (attach additional sheets if necessary):

NOTE: The claimant shall be notified if the portion of the record claimed to be protected is classified as public or if the determination is made that the portion of the record should be disclosed because the interests favoring access outweigh the interests favoring restriction of access. Records claimed to be protected under this business confidentiality claim may not be disclosed until the period in which to bring the appeal expires or the end of the appeals process, including judicial appeal, **unless the claimant, after notice, has waived the claim by not appealing the classification within thirty (30) calendar days.** Utah Code § 63G-2-309(2).

Signature of Claimant:

Date: