

**Evaluation Plan for RFP for Concession Nos.**

CPA Board of Directors action on CPA Concession Nos. SEA-2020-01 Evaluation Plan:

Pursuant to NMIAC § 40-70-205(e)(2), the Executive Director (or her/his authorized designee) shall develop an evaluation plan for evaluating submitted proposals for this concession and submit it to the CPA Board of Directors for approval. The CPA Board of Directors shall approve an evaluation plan for evaluating submitted proposals for these concession before any evaluation of proposals for this concession shall be conducted.

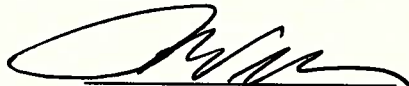
- Pursuant to NMIAC § 40-70-205(e)(2), the Executive Director (or her/his authorized designee) has developed and submitted to the CPA Board of Directors the evaluation plan for evaluating qualifications and submitted proposals for this concession, which is attached as Attachment 1. The CPA Board of Directors **APPROVES** this evaluation plan for evaluating submitted proposals for this concession.

Non-CPA employees on the evaluation committee:

- Because the evaluation requires technical knowledge and expertise, the CPA Board of Directors hereby determines that the participation of non-CPA employees in the evaluation committee would be in the best interests of the Commonwealth.
- There are no non-CPA employees included in the evaluation committee.
- Pursuant to NMIAC § 40-70-205(e)(2), the Executive Director (or her/his authorized designee) has developed and submitted to the CPA Board of Directors the evaluation plan for evaluating submitted proposals for these concessions attached as Attachment 1. The CPA Board of Directors **DOES NOT APPROVE** this evaluation plan for evaluating submitted proposals for this concession. The Executive Director (or her/his authorized designee) is directed to submit an updated evaluation plan for evaluating submitted proposals for this concession to the CPA Board of Directors for approval. The CPA Board of Directors shall approve an evaluation plan for evaluating submitted proposals for this concession before any evaluation of proposals for these concessions shall be conducted.

Approved by the Authority Board of Directors by a vote of 7/7 this 25th day of February, 2020.

  
KIMBERLYN KING-HINDS  
Chairwoman, Board of Directors

  
THOMAS P. VILLAGOMEZ  
Secretary, Board of Directors

**ATTACHMENT 1**  
**Proposed Evaluation Plan for RFP for Concession Nos. SEA-2020-01**

**EVALUATION OF PROPOSALS:**

The Authority Executive Director has developed the following evaluation plan for evaluating proposals submitted in response to the RFP for award of CPA Concession No. SEA-2020-01:

1. *Preliminary Review.* Upon receipt of a proposal, the CPA evaluation committee will conduct a preliminary review of the submitted information for adequacy and completeness. The proposer must satisfy the following requirements to have its proposal ranked as meeting the minimum requirements of the RFP:
  - a. An officer or director of Proposer must not hold an office or directorship in another proposer;
  - b. The legal or beneficial owner of an interest in Proposer must not be the legal or beneficial owner of an interest in another proposer;
  - c. No evidence that Proposer colluded or collaborated with another proposer or proposers in respect to their proposal; and
  - d. Proposer must not have pending prior obligations or accounts owing to the Authority at the time of submission of its proposal.

If the submitted information is incomplete, CPA committee may, in its sole discretion, disqualify the applicant from consideration. CPA reserves the right to waive any defects, irregularities, or informalities in any of the responses and may permit the timely correction of errors contained in them. If a proposal lacks information the evaluation committee deems necessary or contains errors due to potentially ambiguous RFP requirements, the evaluation committee will inform the Executive Director of the issue. The Executive Director may then provide all proposers with either a date and time to discuss and clarify the issue or provide such discussion or clarification through any other substantially similar procedure. There shall be no separate discussions nor communications between the Executive Director with any proposer at any time and should any correspondence be sent to the Executive Director, that correspondence and the Executive Director's response will be shared with all proposers. All proposers shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals and such revisions may be permitted after submission and prior to award.

2. *Substantive Review.* The development proposals that have met the minimum requirements, as stated above, shall undergo a substantive review and evaluation by an evaluation committee selected by the Executive Director or his authorized designee.
3. *Evaluation Committee.* The Executive Director or his authorized designee will assign at least three CPA employees to the Evaluation Committee from different CPA sections/divisions. The Executive Director may assign at most two non-Authority

employees. The evaluation committee shall select the applicant whose development proposal best satisfies CPA's development objectives and the selection criteria below.

4. *Evaluation Factors.* The evaluation committee shall evaluate the qualified applicants' development proposals submitted to this RFP and shall select the applicant whose proposal, in the sole judgment of the evaluation committee, best meets the following criteria:

a. Development Plan (28 points total)

i. Site Plan

1. Provides a conceptual site plan showing the location, configuration, and approximate sizing of the proposed improvements, and the uses provided. (1 point)
2. Provides three full size copies, 1" = 400' scale; and 5 half-size copies. (1 point)

ii. Submerged Lands

1. Identify the locations, boundaries, and area of any submerged lands adjacent to the Subject Property the applicant proposes to lease. (1 point)

iii. Narrative Description

1. Provides a description of the proposed project and proposed uses (1 point)
2. Provides information regarding whether Proposer seeks a subdivision of the Subject Property. (1 point)
3. Provides information regarding the proposed roadway access to Echo Dock. (1 point)
4. Provides an outline of the development program and phases. (1 point)
5. Provides information indicating how the proposed development comports with the laws governing the use of public lands and CPA Harbor Regulations. (1 point)
6. Degree to which the development plan meets CPA's development objectives. (10 points)
7. Degree of non-economic benefits realized by CPA as a result of the proposed project. (10 points)

b. Economic Proposal (23 points total)

- i. Provides the proposed payments or fees to be paid to CPA during the term of the development agreement. (1 points)
- ii. Provides the amount of the annual minimum lease rent the applicant proposes to pay for the Subject Property, including any proposed percentage lease rent. Preference will be given to the proposed annual minimum base rents over the proposed percentage rents. (1 points)
- iii. Provides a description of the proposed commencement of the lease in relation to the proposed development schedule, including the identification of the predevelopment events that must occur prior to the execution and

- project. (1 point)
- vii. Provides a cost estimate for the entire project, cost estimates itemized by categories, and cost estimates for each phase of the project. (1 point)
- viii. Degree of applicant's financial capacity, including creditworthiness, to fund the redevelopment of the Subject Property (including any necessary offsite improvements) and the applicant's proposed operations. (10 points)

5. *Weighted Average and Final Scores.* CPA has provided the following weights for each evaluation factor:

Development Plan – 20  
Economic Proposal – 40  
Business Plan – 20  
Financial Capacity – 20

For each of these four categories, the evaluation committee will total the amount of points earned and divide that amount by the total available points for that category. This number will represent the applicant's ability to satisfy the requirements of that category, and a score of 1 will represent that an applicant 100% satisfies the requirements of that category. The evaluation committee will then take that number and multiply it by that category's assigned weight. The product will be the final score for that category. The evaluation committee will then add the final score for each category, and that sum will be the applicant's final total score. The evaluation committee will round all calculations to the nearest hundredth decimal place.

For example, an applicant receives 11 points in the "Economic Proposal" category. The evaluation committee will divide that amount by 22, which is the total points for that category. The product is .5. The evaluation committee will then multiply .5 by 40, which is the weighted average seen above. The product is 20, and this number represents the final score the applicant will receive for the "Economic Proposal" category. This methodology is performed for each category, and the sum of the final scores for each category will be the applicant's final total score.

6. *Responsibility Determination.* Authority concessions may only be granted to financially responsible persons of good moral character and reputable experience. The evaluation committee shall follow NMIAC § 40-70-401(a) to determine whether a proposer is a financially responsible person of good moral character and reputable experience.

7. *Additional Information.* If a proposal is reasonably susceptible of being selected for an award but lacks information the evaluation committee deems necessary or contains errors due to potentially ambiguous RFP requirements, the evaluation committee will inform the Executive Director of the issue. The Executive Director may then provide all proposers with either a date and time to discuss and clarify the issue or provide such discussion or clarification through any other substantially similar procedure. There shall be no separate discussions nor communications between the Executive Director with any proposer at any time and should any correspondence be sent to the Executive

- commencement of the lease and the rationale for any other critical lease terms and conditions. (1 point)
  - iv. Provides any proposed lease rent discounts, offsets, or other terms or conditions that the applicant believes are necessary or reasonable. (1 point)
  - v. Maximizes the financial returns to the CPA from the Subject Property in a timely manner, including any percentage of revenue from operation of the developed property. (20 points)
- c. Business Plan (16 points total)
- i. Provides an outline of the proposed development schedule and project phasing, including a development timeline with start and completion dates and any events, including government land use entitlements, approvals, or permits that are critical to the timely completion of the project. (1 point)
  - ii. Provides separate timetable for predevelopment activities and a timetable for the construction and lease up activities, including estimated timetables for each phase if the project is to be constructed in phases. (1 point)
  - iii. Provides a comprehensive list of land use entitlements and government approvals and permits required to complete the proposed project and a projected timeline for obtaining all such entitlements, approvals, and permits. (1 point)
  - iv. Provides a market analysis for the proposed market in accordance with the RFP. (1 point)
  - v. Provides a marketing and leasing plan indicating how the applicant intends to implement the proposed project and evidence of other projects developed by the applicant that successfully utilized a similar marketing and leasing plan. (1 point)
  - vi. Provides the proposed method of operation for the project, including the applicant's role in management of the project. (1 point)
  - vii. Degree to which the applicant's business plan is feasible and will result in meeting CPA's best interests. (10 points)
- d. Financial Capability (17 points total)
- i. Provides evidence of applicant's past or current debt or equity financing, such as letters from past or current lenders or financing sources confirming the amounts financed, repayment terms, and repayment status. (1 point)
  - ii. Provides financial statements for the past three fiscal years, current credit report(s), and evidence of capital resources or financing commitments. (1 point)
  - iii. Provides information regarding any loan or lease defaults, bankruptcies, judgments, or any litigation or other disputes that may potentially have an adverse effect on the applicant's current financial capability. (1 point)
  - iv. Provides a financial feasibility analysis for the proposed market in accordance with the RFP. (1 point)
  - v. Provides pro forma financial projections for the entire project and for each phase of the project components in accordance with the RFP. (1 point)
  - vi. Provides a description of the applicant's proposed financing plan for the

Director, that correspondence, excluding materials protected as confidential, private, or exempt in accordance with NMIAC § 40-70-701, and the Executive Director's response will be shared with all proposers. All proposers shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals and such revisions may be permitted after submission and prior to award for the purpose of obtaining the best and final offers.

8. *Proposal Ranking.* After reviewing and deliberating the proposals, applying the evaluation factors set forth in the evaluation plan, applying any additional requirements set forth in this RFP, and determining whether each proposer is a financially responsible person of good moral character and reputable experience, the evaluation committee shall rank the proposals meeting the minimum requirements of the RFP from financially responsible persons of good moral character and reputable experience according to the quality of their proposals as measured by the evaluation plan, highest score to lowest score, and shall then report this ranking to the Executive Director or his authorized designee.
9. *Timeline.* The evaluation process will be conducted by the Evaluation Committee in earnest, with the goal of completing the evaluation process and proposal rankings within six weeks following the end of the proposal period.